

Abernathy And Others Arrested In Shreveport

SHREVEPORT, Louisiana — Rev. Ralph D. Abernathy, official of the Southern Christian Leadership Conference, and president of the Montgomery Improvement Association of Montgomery, Ala., Dr. C. O. Simpson, president of the United Christian Movement of Shreveport, John Lewis, national director of voter registration for the NAACP, and Bayard Rustin, folk singer of Highlander Folk School, Monteagle, Tenn., were arrested by Shreveport police while enroute to their hotel from a mass meeting. While detained in police headquarters confidential documents were removed from the luggage of Abernathy.

Martin Luther King, Jr. and the national staff of the Southern Christian Leadership Conference, moved into this city from Atlanta for a three-day annual conference Oct. 11. The executive board and others who are leaders from 15 southern states assembled and swiftly approved a national program of massive nonviolent direct action, stepping up the speed of the attack on segregation in transportation, waiting rooms, schools, voter registration stand-ins and a southern economic protest.

Hardner C. Taylor, newly elected president of the National Baptist Conference, delivered the keynote address at a mass meeting during which he said, "In this age of international suicide by push-button atomic missiles, the time for complete freedom for the Negro is now."

Dr. King who was speaker for the mass rally of the second meeting, said in a statement to the press, "The presence of this annual conference here in Shreveport, and the tremendous support of the Negro masses amidst most severe segregation, is symbolic of their determination to move on to the better way of life that offers human dignity for all. Destiny has placed on the shoulders of the Negro American the task of making democracy a reality." Lawson, expelled from Vanderbilt University for participation in student demonstrations which caused sympathy resignations of faculty members, said in addressing the plenary session Oct. 12, "Laws are not made in the Courthouse alone but they are made under the pressure of the moral demand of the people. If we are really trying to change the law,

then make certain that the people are demonstrating in such a fashion that it becomes impossible for society to keep an unjust law."

King's NYC Defense Unit

The Afro American Baltimore Md

Reports; Raised \$85,000

Sept. 10, 22, 60
NEW YORK — The Committee to Defend Martin Luther King revealed that it spent \$51,452.41 of its \$85,872.64 income for "Contributions to the Southern Struggle."

These contributions were listed as: the legal costs of Dr. King's trial on charges of perjury in filing his State of Alabama income tax; the libel suit brought against the Committee for allegations made in a newspaper ad; Also, contributions to the Southern Christian Leadership Conference; support of the sit-down movement; convention project; fund appeal advertising and travel.

Remaining in the treasury was \$956.38. More than \$33,000 was spent on such items as: printing, postage, public meetings, travel and fares, telephone and telegraph, salaries, rent, supplies taxes and insurance, bank charges and miscellaneous.

The unexpended funds, listed as of July 31, were transferred to the Southern Christian Leadership Conference.

A. PHILIP RANDOLPH and Dr. Gardner C. Taylor, chairmen of the Committee, stated: "In issuing this accounting, the chairmen and all those who brought the committee into being to meet an urgent need, wish to express their deepest and warmest thanks to the tens of thousands who gave their support."

"It is profoundly gratifying that the unfair indictment and King by the State of Alabama resulted in a complete vindication of Dr. King in his acquittal by the jury which heard all the facts in the case."

"Beyond that, the support rendered by the committee to the sit-in movement, along with the aid given by many others, has resulted in the desegregation of lunch counter facilities in over 70 southern cities."

CHICAGO — A noted South African writer, Alan Paton, spoke at Roosevelt University Altgeld Hall Monday. The author came to Chicago after a visit in NYC where he was given the 1960 Freedom Award by Freedom House. The author taught school before beginning his writing career in 1948.

THE COMMITTEE came into being early this year when Dr. King was charged, in two separate cases, of falsifying his income tax return and reporting lower income than he had actually received.

The charges were made even after the discrepancy was called to Dr. King's attention—he paid the difference under protest. The Committee, shortly after its formation, took out a full-page newspaper ad in New York explaining Dr. King's side of the case. Alabama officials sued the committee for libel but the case never came to trial. When the first of Dr. King's cases came up, a jury found him not guilty. The second case was dropped by the state. Dr. King is now an Atlanta resident where he directs the Southern Christian Leadership Conference.

"IT IS especially noteworthy that this historic accomplishment was achieved in less than six months."

"The outstanding credit belongs to the heroic young students who acted firmly and responsibly, undergirded by a spirit of non-violent resistance which was never shaken or diminished despite the intensity and severity of the opposition."

"The struggle continues for new and more extensive victories. We know that all who work will maintain their allegiance as new tasks and needs arise."

* * *

Top Leaders Confer in Atlanta

ATLANTA, Ga. — Leaders of several major groups converged on Atlanta on Dec. 23 for a top-level strategy meeting aimed at coordinating efforts for an all-out civil rights drive among Southern Negroes. The drive is to embrace voting and registration, employment, segregation and all forms of discrimination.

The meeting was the outgrowth of a New York City conference on Nov. 30, between Dr. Martin Luther King Jr., president of the Southern Christian Leaders Conference, and Roy Wilkins, executive secretary of the NAACP, and key officers of both groups.

Both Dr. King and Mr. Wilkins were at the meeting here, and again emphasized the cooperation between the two organizations.

OTHER OFFICIALS from the NAACP included: Herbert Hill, labor secretary; Mrs. Ruby M. Hurley, southeastern regional director; the Rev. Edward Odom, church secretary; Gloster Current, director of branches; Kelley M. Alexander, southwide registration committee chairman and board member, and others.

Dr. King's group was represented by the Rev. Ralph Abernathy, executive secretary-treasurer; the Rev. F. L. Shuttlesworth, chairman of the Alabama Coordinating Association for Registration and Voting—now on special duty with the NAACP—was also among the conferees.

The weighty problem of injustice and discrimination against Negroes in the South was the major business of the meeting.

Segregation Battle Taken To Schools

Jackson Daily News
HOT SPRINGS, Ark. (AP) — Southern governors have chosen the classroom over segregation and states rights.

They adopted a resolution in their closing session of their conference Wednesday calling for the teaching of the Constitution and its principles in the schools to "counter federal invasion of states rights."

Sept. 29-60
Gov. J. Lindsay Almond of Virginia, retiring conference chairman, brought up the almost-taboo conference subject. He called on David J. Mays of Richmond, chairman of the Virginia Commission on Constitutional Government.

'DIGNIFIED MAY'

Mays told the governors that education was the only "dignified" way to fight for states rights. He said Virginia taught constitutional law in its grade and high schools to "black and white alike."

Conference officials said it was the first time integration had been brought up at the conference since the Little Rock controversy in 1957. Then the conference named a committee to confer with Gov. Orval E. Faubus and President Eisenhower on the possibility of withdrawing federal troops from Central High School there.

Both Almond and Gov. Luther H. Hodges of North Carolina said the educational program should be carried on at a national level. Hodges said states rights was a matter of concern for all states.

The governors elected Gov. Price Daniel of Texas as their new chairman and Gov. Ernest Vandiver of Georgia as vice chairman. They decided to meet in Tennessee next year, probably at Gatlinburg.

Gov. Ross R. Barnett of Mississippi said the way to curb "irresponsible and revolutionary decisions" of the Supreme Court was to crystallize public opinion. Then he said Congress would stop it.

Daniel in accepting his post said that if the governors stood together they could influence Congress to change Supreme Court deci-

sions just as they had done in insurance, tidelands and other matters.

The governors supporting Sen. John F. Kennedy for president spent a lot of their time at news conferences whipping up enthusiasm for their candidate.

But a survey of the governors indicated Vice President Richard M. Nixon has a chance of carrying 11 of 15 southern and border states in the November election.

States where Nixon was given a chance were Florida, Kentucky, Louisiana, Maryland, Oklahoma, Tennessee, Texas, Virginia, North Carolina, South Carolina and West Virginia.

THREE 'SAFE'

Only Alabama, Arkansas and Georgia were regarded by their Democratic governors as completely safe for Kennedy. Barnett is trying to get Mississippi to name eight unpledged electors in hopes that a close election might be thrown into the House of Representatives where each state would have only one vote.

The governors, in a resolution, called on Congress and the administration to re-examine its foreign trade policies. Daniel, chairman of a committee on foreign imports, told the governors that the oil and textile industries had suffered heavily from excessive imports.

Southern Governors See Cuba Base Vital to U. S.

The Evening Star
WASHINGTON, D.C. Sept. 28 (AP) — Southern Governors today agreed with Senator Fulbright, Democrat of Arkansas, that Fidel Castro would overthrow himself if he tried to take over Guantanamo naval base in Cuba.

Gov. Almond of Virginia, chairman of the Southern Governors Conference, said the base was "so vital to our security that we would have no choice except to defend this vital security to hold it with force if necessary."

He was joined by several Gov. Ernest Vandiver of Georgia: "We have a moral and legal obligation to stay."

Senator Fulbright, chairman of the Senate Foreign Relations Committee, told newsmen in Tokyo he thought the United States would resist being pushed out of the base. Admiral Arleigh Burke, Chief of Naval Operations, previously had said this country would fight to keep the base.

Throughout the three-day conference, Southern Democrats have assailed the Eisenhower Administration for the way it has handled the Cuban situation.

Almond Gives Views

"We simply couldn't afford to let Castro take Guantanamo over and put Mr. Khrushchev in business next door to us," Gov. Almond said in an interview.

Govs. John Patterson of Alabama and Price Daniel of Texas said they felt it was strictly a matter of decision for the Federal Government and as State heads they should not inject themselves into the controversy.

"I strongly believe the Federal Government shouldn't interfere with the States' business," Gov. Patterson said, "and I feel just as strongly that States should not interfere with the prerogatives of the Federal Government."

Farris Bryant, Democratic nominee for Governor in Florida, said, "I would like to see our problems with Cuba worked out on a friendly basis... but if it should come to a showdown we would have no alternative. We could not give up the naval base."

Moral Obligation Seen

Gov. Ross Barnett of Mississippi minced no words—"We should do whatever is necessary

of Virginia is chairman of the conference. P. 5

The first conference gathering will be a reception at 6:30 p.m. Sunday, Sept. 25, at the Arlington Hotel. The Governors and their wives will be guests of Governor and Mrs. Faubus at a buffet supper at the Arlington.

Almond To Preside

Governor Almond will preside and deliver the opening address at the first general session Monday morning. Governor Fabus will deliver the welcoming address.

Following the opening session, Gov. Bert T. Combs of Kentucky will preside at a round-table discussion on conservation. Special speakers will be Howard D. Dodgen, executive secretary of the Texas Game and Fish Commission; Marvin M. Sutherland, director of the Department of Conservation and Development of Virginia; and Sam A. Thompson, chairman of the Board of Water Commissioners of Mississippi.

Also during the morning, Gov. Buford Ellington of Tennessee will deliver a progress report on the visit of governors to Argentina and Brazil.

The governors will recess at 12:30 p.m. for lunch.

Also at 12:30, Mrs. Fabus will be hostess at a luncheon for governors' wives. The luncheon will feature a style show.

Cruise On Lake

Monday afternoon (Sept. 26) a fleet of automobiles and buses will transport conference members and officials to the Majestic Lodge at Hot Springs for an outdoor supper and lake cruise.

Tuesday morning (Sept. 27), Gov. S. Ernest Vandiver of Georgia will preside at a round table discussion on industrial development. Special speakers will be C. Hamilton Moses of Little Rock, former president of the Arkansas Power and Light Company, Gov. Luther Hodges of North Carolina, and Dr. Howard Schaller, chairman of the department of economics at Tulane University.

Discussion leaders at the session will be Gov. Ross R. Barnett of Mississippi and Gov. Jimmie H. Davis of Louisiana.

Later, Gov. John Patterson of Alabama will preside at a round table discussion of problems of aging. The main ad-

dress of the session will be delivered by Senator Robert S. Kerr (D., Okla.). Discussion leaders will be Maryland Gov. J. Millard Tawes and Gov. Cecil Underwood of West Virginia.

Tuesday afternoon will be devoted to meetings of committees and special groups.

State Dinner Set

The annual state dinner will be at 7 p.m. Tuesday in the Arlington Hotel.

Wednesday (Sept. 28) the Governors will meet in general session at the Arlington for reports of committees.

Reports will include:

The effect of imports on domestic economy by Texas Gov. Price Daniel; freight rates by South Carolina Gov. Ernest F. Hollings; highway safety by Gov. J. Howard Edmondson of Oklahoma; and the report on the regional advisory council of nuclear energy by Governor Ellington.

The conference will adjourn after action on reports of the resolutions and nominating committees.

Education Board To Convene

LITTLE ROCK, Sept. 17. — The Southern Regional Education Board will hold its annual meeting in Hot Springs Sept. 25. The meeting will coincide with the opening of the Southern Governors Conference.

The main business session will begin at 1:30 p.m. Sept. 25 at the Majestic Hotel. About 56 are expected.

Arkansas members include Dr. Virgil Adkisson of Fayetteville, L. H. Autry, superintendent of schools at Burdette and a member of the Legislature, Dr. Lawrence Davis of Pine Bluff and Senator Clifton Wade of Fayetteville.

Dixie Governors Gather Sept. 25

The Commercial Appeal
Southern Conference Will Confer For Three Days At Hot Springs

From The Commercial Appeal Little Rock Bureau

LITTLE ROCK, Sept. 17. — Members of the Southern Governors Conference will gather in Hot Springs Sept. 25 for the opening next day of the group's 26th annual meeting.

Gov. Orval Faubus will be host for the three-day session of business meetings, private

talks and general relaxation.

Gov. J. Lindsay Almond Jr.

Southern Governors Discount Civil Rights as Major Issue

The Philadelphia
By JACK BELL

HOT SPRINGS, Ark., Sept. 27 (AP).—Democratic Governors wrote off civil rights Tuesday as a "side issue" in Southern voting in the Presidential race.

Despite school integration controversies and the threat of lunch counter sit-ins, Dixie Governors attending their 26th annual conference here agreed generally the contest between Sen. John F. Kennedy and Vice President Richard M. Nixon will be decided on other issues.

Most of them took a "plague on both your houses" position—that both candidates are committed by their platforms to a civil-rights stand likely to be highly displeasing to a majority of southern voters.

PLATFORM 'ALIKE'

Gov. Price Daniel, of Texas, sounded what appeared to be the general viewpoint when he told a news conference civil rights have ceased to be an issue because "both platforms are the same." He added that if they do become an issue "the Republicans will suffer for it more than the Democrats."

"Why should anybody in Texas be dumb enough to believe that the Republicans would do any better by the people of Texas than the Democrats on this matter?" Daniel asked.

"The people of Texas are just not that naive."

LISTS 'MAIN' ISSUES

Daniel named foreign policy, a farm program, local control and financing of schools and the maintenance of State right-to-work laws as potentially decisive issues.

He did not include Kennedy's Roman Catholicism, which some other Governors said might become a determining factor. Daniel said Kennedy was breaking down opposition on this score by stating his position frankly. This view was shared by Gov. Bert T. Combs, of Kentucky.

Gov. S. Ernest Vandiver, of Georgia said that, as far as he is concerned, the platform of the two parties, particularly their civil rights declarations are "equally obnoxious."

In listing the major issues intold about 200 civic, government and business leaders of Georgia, he put the farm program first and Kennedy's reli-

gion second.

Gov. Ross Barnett, of Mississippi, was one of the few who kept the civil-rights dispute in the forefront. He said he is supporting an unpledged slate of electors because he thinks the platforms of both parties are unacceptable to his State's voters.

Gov. J. Millard Tawes, of Maryland, said Kennedy was in a nip-and-tuck battle in his state but would win.

He added his party would have to work right down to the last moment. He listed foreign policy and the farm program as the main issues in Maryland. Tawes discounted religion as a major issue, but said it is present.

Gov. John Patterson, of Alabama, predicting his State would go over overwhelmingly for Kennedy, said the South must stick with the Democratic Party to safeguard its position in Congress.

Meanwhile, 10 Democratic Governors signed a telegram to Kennedy congratulating him "on your superb handling of Mr. Nixon and the issues facing our country" in Monday night's televised debate.

"It is the consensus . . . that the masterful way in which you controlled this debate further accelerates the movement to the Kennedy-Johnson and the Democratic ticket," the telegram said.

Dixie Governors Address Forum

The Commercial Appeal
Economic Progress Of Area Discussed By Ellington, Faubus, Barnett

Memphis Press-Scimitar
By ARCHIE QUINN

Three governors came to Memphis yesterday to talk about economic development of the Mid-South and all agreed that the most important and valuable resource of the area is its men and women.

It was almost like a debate without rebuttals as Gov. Orval Faubus of Arkansas, Gov. Ross Barnett of Mississippi and Gov. Buford Ellington of Tennessee intold about 200 civic, government and business leaders of the progress made by their

states in the fight to upgrade overall economy and standards of living.

The chief executives each spoke 20 minutes—more or less—at a seminar held at Memphis State University under the sponsorship of the Mid-South Chapter of the Public Relations Society of America.

'Greatest Enticement'

Each stressed the fact that the people of the Mid-South provide the greatest enticement for development of industry, whether through relocation or the founding of new manufacturing firms. Availability of labor which can be easily trained was cited as the Mid-South's greatest economic asset.

All three also stressed the necessity of a good moral climate in the area, to develop men and women of character who will make their communities attractive to other people and who will work for civic good.

South Scolded

Governor Barnett scolded the South for sitting by for so long while other areas took its best young people. "For too long," he said, "the South was drowsing, letting other sections harvest our wealth. We have no one to blame but ourselves."

Governor Ellington talked about the "happy balance" between industry and agriculture in Tennessee. "As industries and the people of industry use the farmers' products, the farmer is in a better economic position to use the products of industry."

The two-hour seminar was moderated by E. B. LeMaster, president of the Memphis Chamber of Commerce.

South continues shift from cotton to cattle

The Afro-American
Baltimore Post
WASHINGTON
The South is continuing its longtime shift from cotton to cattle, says a recent report issued by the U.S. Department of Agriculture.

Title of the report is "Cash Receipts from Major Farm Commodities by States." It shows he changes that have occurred since 1924 in the relative importance of individual commodities in their contribution to total cash receipts from farm marketings in each state, and since 1910 in this country as a whole.

In about half the States, and especially in the cotton region of the South, livestock has increased in importance, while crops have declined. Alabama farmers, for example, received only 14.3 percent of their \$161 million cash returns in 1924 from livestock and livestock products and 72 percent from cotton, their main crop.

Last year Alabama farmers obtained 54.8 percent of their \$503 million in cash receipts from livestock and broilers, and only 24 percent from cotton. Returns from broilers alone accounted for 15 percent of the total. Even as recently as 20 years ago, the farmers of that State sold practically no broilers.

South's Governors To Talk Education

Jackson Daily News
Jackson, Miss.
By AL KUETNER
United Press International
man, presiding.
Highlight of the SREB meeting will be a recommendation that a commission of five to seven nationally-known Southern laymen be named to study needs, problems and opportunities of higher education in the South and to identify major goals for the 1960-1975 period.

Underwood said he had discussed the plan with other governors and it won their unanimous approval. He and the new SREB chairman would appoint the commission members, none holding state or university positions.

"It is essential for our states and institutions to proceed with a greater sense of direction and purpose," Underwood said. "I am convinced the proposed commission can give the region the vision and guidance needed to restore the South to its proper place of leadership in the affairs of our nation."

With the presidential election less than seven weeks off, behind-the-scenes talk will center around the topic: Whither the South on Nov. 8? Nine of the member states went Republican in 1956; seven in 1952.

EDUCATIONAL STUDY

The yearly session of the Southern Regional Education Board an agency created by the governors to pool resources of higher education, convenes Sunday afternoon, with West Virginia Gov. Cecil H. Underwood, retiring chair-

that could be used as a guide by state legislatures and education agencies.

Virginia Gov. J. Lindsay Almo Jr., outgoing chairman of the governors conference, will preside over the opening general session Monday morning following an address of welcome by host Gov. Orval Faubus.

Presiding over discussion groups and committees during the three-day conference will be Govs. Ernest Vandiver of Georgia on industrial development, John Patterson, Alabama, problems of the aging; Price Daniel, Texas, imports; Ernest F. Hollings, South Carolina, freight rates; J. Howard Edmondson, Oklahoma, highway safety, and Buford Ellington Tennessee, nuclear energy.

SOUTHERN POLITICS

Ark. entertains meet of Dixie heads of state

The Afro-American
Baltimore Post
LITTLE ROCK, Ark. — The State of Arkansas has put up \$30,000 so that Gov. Orval Faubus can entertain 15 southern governors at the four-day 26th Southern Governors Conference at Hot Springs.

This appropriation will pay only part of the expenses — other funds are expected from private sources. Business sessions of the conference will be few as the guests wish "as much leisure time as possible."

Nothing "controversial" is on the formal agenda although various of the guests will probably sound off on such questions as civil rights and the forthcoming Presidential election.

West Virginia's Gov. Underwood will be the only Republican present. The other governor-guests are: Patterson, Alabama; Vandiver, Georgia; Combs, Kentucky; Davis, Louisiana; Tawes, Maryland; Barnett, Mississippi; Hodges, North Carolina; Edmondson, Oklahoma; Hollins, South Carolina; Ellington, Tennessee; Daniel Texas; Almond, Virginia and Bryant, governor-elect of Florida.

Gov. Almond will preside

Sitdowners Here to Push Rights at National Conventions

The Atlanta Constitution
The Negro sitdown movement will send students to appear before the platform committees of the Democratic and Republican conventions next month, the Student Nonviolent Coordinating Committee announced Monday after a weekend meeting here.

"The students will not only urge strong civil rights planks in party platforms but will make clear their intentions to continue peacefully to protest against racial segregation and discrimination as long as these exist," said SNCC secretary Jane Stenbridge.

Miss Stenbridge said they also will join mass picket lines at the conventions that are being organized by the Southern Christian Leadership Conference, the National Assn. for the Advancement of Colored People and the Brotherhood of Sleeping-Car Porters.

Leaders in the sitdown movement also said former President Truman's assertion that the sit-downs appear to be Communist-inspired "incorrectly credit the Communists with movements toward social justice."

Truman reiterated his belief about the student movement in a television interview Sunday, but noted that he didn't believe the students were Communists.

"I say it was pushed on by a Communist program," he said. The SNCC said "the sitdown movement is an attempt to secure for all Americans the rights guaranteed to them in the Constitution and to realize in the United States the goals of a free, democratic and responsible society."

Negroes to Picket Political Conclaves Over Rights Issues

The New York Times
NEW YORK, June 9 (AP)—Five

thousand Negroes will picket both national political conventions this summer to focus attention on their demands for "first-class citizenship" and civil rights legislation, two Negro leaders said today.

The picketing proposal was announced jointly by A. Philip Randolph, international president of the Brotherhood of Sleeping Car Porters, and Dr. Martin Luther King, president of the Southern Christian Leadership Conference.

Randolph said local groups of the "March on the Conventions Movement for Freedom Now" are being formed throughout the country.

He said the movement will not endorse any candidate for president, but affiliated organizations are free to do so.

"No candidate (for president) is satisfactory thus far," he said. "All of them have looked the other way when their parties have tolerated racists or made deals with racists."

Randolph said the movement has the support of the National Assn. for the Advancement of Colored people "and other liberal organizations."

Conventions

The Montgomery Advertiser
Can Expect

Negro Pickets

The Montgomery Advertiser

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He said the committee hopes to be heard by platform committees of both parties.

NO COMPROMISE

"All candidates for the presidency," he said, "will be given questionnaires and the new movement will demand specific answers. The time for compromise and empty generalities is over."

He said, "We shall march on the conventions en masse to serve notice that we will no longer endure this double disenfranchisement and that no party which ignores the just demands of our 18 million people can look to a long future."

The committee also will seek a large Negro voter registration in the South, Randolph said.

NEGRO PICKETS PLAN REVEALED

The New York Times
March on Political Conventions Promised

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BACKED BY NAACP

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HOPES TO BE HEARD

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5000 Negroes

The Philadelphia Daily News
Will Picket

Conventions

The Philadelphia Daily News

NEW YORK (AP)—At least 5,000

Negroes will picket both national political conventions this summer to spotlight demands for stronger civil rights legislation, say two Negro leaders.

The picketing plan was announced Thursday by Dr. Martin Luther King Jr., president of the Southern Christian Leadership Conference and A. Phillip Randolph, international president of the Brotherhood of Sleeping Car Porters.

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He added that local groups of the "March On The Conventions Movement For Freedom Now" are being formed throughout the country.

Randolph said a committee of the marchers hopes to be heard by the platform committees of both parties.

Nashville Council Hits Store Bias

NASHVILLE, Tenn.—The Nashville Christian Leadership Council, affiliated with the Southern Christian Leadership Conference led by Dr. Martin Luther King, jr., has undertaken the project of gaining non-segregated facilities in downtown department stores.

Because of the economic support given by the Negro community, the NCLC is presently concentrating on Harvey's Department Store and the Cain-Sloan Department Store, two of the largest in Nashville.

Both of these stores maintain segregated rest rooms and the Cain-Sloan store has a segregated restaurant. Harvey's store once operated a "Negro" restaurant, but this was closed because of lack of patronage. In the Harvey's store, however, only the ladies' rest rooms are segregated.

SOME CORDIAL

A committee from the NCLC has met with the management of these stores on three occasions with the request that the practice of segregation be discontinued.

Their reception at Harvey's, where two of the conferences were held, was cordial and there seemed to have been a recognition of the problem and some willingness to seek to explore alternatives to segregation according to the NCLC. The management at Cain-Sloan's, however, seemed unwilling to share this outlook.

When the NCLC committee, headed by the president, the Rev. Kelly M. Smith, met with John Sloan of the Cain-Sloan store, he was quite unwilling to discuss the Christian or moral issues involved. In fact, the group reported, he stated that many "better class" Negroes who shopped at his store were not concerned with segregation but, rather, with the

purchase of good merchandise at good prices.

"While it may be observed that Negroes of Nashville have been too content in their patronage of stores where the management is concerned only about their ability to produce coinage for the cash register, there have been and still are those who are genuinely concerned about the problem and are willing to take remedial steps," the NCLC said, adding:

"While the project has begun with talking and exploring the problem, the Council, committed to the use of Christian non-violence, intends to employ every method at its disposal.

"Although there are obviously great difficulties ahead in the handling of this problem the Council has high hopes for victory over racial prejudice and segregation mounted in high places.

"One of the floor managers at Harvey's admitted this possibility when he said "You know as well as I that if the Negro wanted to end this thing (segregation) and organized to do so, he could end it."

Chairman of the projects committee is the Rev. J. M. Lawson, jr., also Southern Regional Secretary of the Fellowship of Reconciliation.

Nashville Stores Refuse Service

A group of ministers and students interested in the Nashville Christian Leadership Council's project to open downtown restaurants to all customers, were refused service when they visited the eating places of Harvey's and Cain-Sloan Department Stores in downtown Nashville recently.

The group, headed by the Rev. J. M. Lawson, jr., projects chairman of the NCLC, was divided into three small units and went first to the three restaurants of Harvey's Department Store. They were refused service in all three.

Spokesmen for the twelve-member group conferred at length with persons representing the management of the store. They were told that while the Negro could buy anything he wanted in the store, he could not sit down and eat because it would hurt business. In the basement dinette the orders of the group were actually taken but were later rescinded.

Later a group visited the three restaurants at the Cain-Sloan Company. One group of students went to the lower level cafeteria for Negroes, where they found that less than 50 percent of the customers were actually customers in the store. The others were employees from the downtown area.

There is marked contrast between the Negro cafeteria, built chiefly for Cain-Sloan Negro employees. The main dining room, the Iris Room, and the dinette were also visited, where the Council team was flatly and with hostility refused service.

They were told they would not be served and were creating trouble by coming, even though few other customers seemed to take notice of them until the management came with fear and resentment to ask them to leave.

In the Iris Room, the Rev. Lawson was told by a vice-president of the company that he and the

others were hurting "your race." But he would not talk or reply to the question, "Do you think that you are helping either the Negro or your race, the Church, this community or nation by maintaining such a policy?" Neither readiness to talk about the problem nor courtesy were shown members of the group.

The purpose of these visits was (1) to establish in an action situation what the actual policy was and (2) to engage representatives of the management in conversations about the situation against this setting.

The group plans to continue the pursuit of the problem until a morally defensible solution is discovered.

Union Assumes Helm of Local Constitution In Race Dispute

MEMPHIS, Tenn. (AP)—An international union took over operation of this city's largest union local Wednesday after its officials refused to integrate rest rooms at the union hall.

The United Automobile Workers International assumed administration of the 2,000-member local after orders to desegregate the rest rooms were rejected. The local, whose members work at the International Harvester plant, has between 500 and 600 Negro members.

Ray Maness, local president, was ill with a heart ailment and unavailable for comment. Other white members of the local said they had retained an attorney and the matter probably would be taken to court.

75 arrested in Nashville demonstrations

BY MARVIN D. BEARD

NASHVILLE, Tenn., Feb. 27—Police broke up sit-ins by Negroes in downtown Nashville Saturday, arresting more than 75 persons, after the demonstrations erupted in at least two places.

Crowds filled on the sidewalks as police herded the recalcitrant demonstrators from the lunch counter in McClellan's store into police wagons.

"We've asked them eight or 10 times to move," said one officer. "They won't so we're pulling them in."

The demonstrations closed the lunch counters at three variety stores, a drugstore and a department store.

Youth beaten

SEVENTEEN PERSONS, white and Negro, were arrested in the first outbreak which saw a white youth seated with a group of Negroes pulled off his stool, thrown to the floor and kicked by another white youth.

A short time later, Negroes again took seats at the McClellan's lunch counter. When they refused to leave, police made about 40 more arrests.

Police said all would be charged with disorderly conduct.

"We're going to fill their jails," Earl Mays, a Negro student at Fisk University told a reporter. "That's a promise."

"We did not take all the seats," said Diane Nash, another Fisk student. "We did not want people to think we were trying to take over. But it is a moral issue. We want to be treated equally."

Counter closes

WALGREEN'S DRUG Store closed its lunch counter after a white boy and Negro youth exchanged blows. Cain-Sloan stopped service at its main restaurant

when five Negroes asked for service.

Police blocked auto traffic from a block of Fifth av as the demonstrations went back and forth from Walgreen's to McClellan's, Woolworth and Kress stores.

Sidewalks were packed with whites and Negroes at the peak of the disturbance.

The white boy was seated beside a Negro girl when the second white youth grabbed him by the collar, twisted him around and called him a "nigger lover."

THE SECOND boy then fled, but returned five minutes later, grabbed the first youth, who was still seated at the counter, threw him to the floor and kicked him.

Police then ordered everybody to leave the counter. Eleven persons who refused to comply were arrested.

Six Negroes who had been sitting in a booth at a drugstore across the street then walked across the street to the dime store. They also were arrested.

It was not known how many of the first group arrested were Negroes.

Police Break Up Brief Encounter

Teenagers Touch Off Racial Uproar in Memphis

The Miami Herald
Miami, Fla.
MEMPHIS — (AP) — Po-

lice said an encounter between white and Negro teenagers touched off a brief but furious uproar in a racially mixed neighborhood here.

Two riot squads and about 20 patrol cars converged on the area, which has been the scene of previous "gang fights." Five Negro juveniles were picked up and held for questioning.

A 27-year-old man captured by officers was dragged to a squad car. He was identified as Robert Stovall.

Assistant Police Chief Lee Quianthy said no immediate charge was placed against Stovall. He denied reports that shotguns were fired in the melee.

"The only shotgun we found was apparently carried by Stovall," said Quianthy. "And it was a 1901 model cap and ball that I doubt will shoot at all."

Quianthy said the trouble apparently started when a group of white youths passed by a group of Negro youths and were "dared to fight."

"The white boys ran into a nearby house," he said.

Occupants of an apartment house said the gang of about 25 advanced on the building tossing bricks and firing at least two blasts from a shotgun.

Bystanders said the Negroes appeared to be members of a gang whose members identify themselves with adhesive strips on their face. They dispersed in all directions as police arrived.

38a 1960

TENNESSEE

RIDE- IN
JACKSON, TENNESSEE CITY BUS LINES

**Ride-In Students Break
Jackson Bus Lines**

JACKSON, Tenn. — Ride-in
demonstrations by NAACP
students from Lane College
here resulted in integration of
the city's bus lines.

More than 40 students took
part in the week-long demon-
strations that resulted in a
successful conference between
bus company executives, city
officials and student leaders.



WHITES AND NEGROES BATTLE IN CHATTANOOGA VARIETY STORE
 ... During big disturbance as counter-sitting miscarries

Whites, Negroes battle— 11 to face court in race riot in Chattanooga

CHATTANOOGA, Tenn., Feb. 24—(AP)—Screaming swarms of Negro and white youths battled in downtown Chattanooga late yesterday while a demand for immediate school integration brought reported threats of bombing and lynching. The wild free-for-all was touched off by the third Negro lunch counter demonstration in a variety

... during the fighting appeared in City Court today. One white boy who police branded a leader of his race was fined a maximum \$50 on a charge of disorderly conduct. He was listed on police records as Willard James Henderson.

THE 12 PERSONS ARRESTED

Judge Riley Graham dismissed similar charges against four other whites. Hearings for six other white boys will be held in Juvenile Court.

The lone Negro arrested, identified as Don Allen Wolfe, 18, was placed under \$500 bond and held for Grand Jury action on a charge of petty larceny of a sugar jar. The boy said he picked it up "for protection."

All were released under bonds.

Telephone calls threatening violence were reported by one of three Negro parents who made the demand for integration to school officials Monday. At the same time more Negro parents were reported ready to join the drive.

The fighting—in which combatants hurled flower pots, dishes, sugar bowls and an assortment of other items scooped from counters—broke out after about 30 young Negroes entered the S. H. Kress & Co. store.

A woman shopper fainted and two persons were injured seriously enough to require hospital treatment before squads of police were able to quell the half-hour riot. Even then turmoil continued for a time with smaller groups of white youths roving in and out of stores shouting, "Let's get the niggers out."

THE CITY'S entire 250-man police force was put on duty and police guards were ordered for the schools today.

"We will patrol this city diligently; we will protect its schools, public institutions and other property, and will maintain order, showing neither fear or favor," Police Chief Ed Brown promised.

A report that the four downtown variety stores—Kress, W. T. Grant Co., F. W. Woolworth Co. and McLelaln—had agreed to close their doors two hours early today was denied by store managers. Police had reported they understood closings were planned for an hour when schools dismiss pupils.

Police expressed hope that the inaction of the stores would head off new hostilities since most of the Negro demonstrators and their white hecklers appeared to be about the age of high school students.

THE NEGROES previously held

afternoon lunch counter sitdowns here last Friday and Monday. Each time the counters were closed for the day and service to the Negroes denied.

Yesterday, a large crowd of white youths—estimated by police at 400—gathered downtown to await the arrival of the Negro demonstrators. The outnumbered Negroes, coming down the sidewalk in a group, spotted the white crowd and darted into Kress, the first variety store in their path.

Portions of the white crowd swarmed after them.

The lunch counter was closed immediately but white boys and the Negroes, both boys and girls, jostled for seats. A white boy jumped up on the counter and raced back and forth yelling profanity. Another with a long whip shouted, "We bull whipped him," in an apparent reference to a Negro.

Suddenly the heckling became a riot with the combatants throwing whatever merchandise they could grab.

POLICE ROARED UP and the embattled Negroes began to move out to the street as management closed the store. The closing was signaled by a ringing bell and the blinking of overhead lights.

MEANWHILE, Negro students resume non-violent resistance to segregated lunch counters in Virginia and North Carolina.

Police arrested 25 demonstrators—both white and Negro—in North Carolina.

In Richmond, Va., pickets marched against a department store (Thalhimer's). In defiance of the arrest of 34 Negro students there Monday. Three Negroes were arrested outside the store.

A major demonstration occurred at Winston-Salem, N. C., where 12 Negroes and 10 whites were arrested as they sat at a white lunch counter marked for use by F. W. Woolworth Co. employees and their guests.

South's Sit-Ins: A Field Report

Nashville Negroes Trained for Passive Resistance

By Robert S. Bird

NASHVILLE, Tenn., Mar. 12. Negro students trained and rehearsed in passive resistance and self-discipline techniques in church-sponsored "workshops" staged the recent lunch counter sit-ins here in Nashville.

These sit-ins, which flared into one-sided violence two weeks ago, when white hoodlums intervened, almost certainly will be resumed next week if the lunch counters are not desegregated.

The Negro students served notice again today that they would accept nothing less than acknowledgment of their rights to sit at the store lunch counters along with white customers. This new word came during an uneasy truce arranged by Mayor Ben West, during which the colored student groups, the downtown store proprietors, civic leaders and civic officials tried to work out a settlement which could provide a model for other Southern cities.

The showdown—whether settlement or further demonstrations—is fully expected to come before Thursday, when the downtown stores have scheduled their traditional three-day special dollar-day sales, involving a \$2,000,000 sales stake.

Up to now, the store representatives are reported to be holding out against yielding to the student demands for what the students assert is a "moral right," but some of the merchants are said privately to prefer desegregation of the counters to further sit-ins.

This much has been demonstrated already as the Mayor's negotiating committee explores this new pattern of pressure for Negro rights:

1. Student groups, hitherto in the background of the desegregation fight, have emerged as the new leaders. They are animated by a combination of idealistic zeal and tough-minded determination to take whatever is dealt to them in punishment. Their view is that they actually have nothing to

lose.

2. They are pushing the fight for Negro rights beyond the purely legal area and into the field of what they call moral rights, which they say include the common amenities of life, about which white people scarcely stop to think. They ask, for example, why it is a department store invites them to spend \$75 for a suit of clothes they cannot have the right to sit down with other customers for coffee and a sandwich at the store's lunch counter.

They feel that it is strange that the most fashionable stores in town allow Negro women to try girdles and foundation garments which are hung back on the racks if not bought, but refuse to allow these women at the lunch counters.

3. The rise of the Negro college students to leadership in the South, especially with their fervent but non-violent method of demonstrating, has astonished the older Negro generation, but it has gained their full acceptance.

4. The drama of the students' passive resistance idea has seized the imaginations of the college boys and girls and, as they feel, has enhanced the moral atmosphere of their battle, making this weapon now a feared and very real economic threat to the downtown areas of the Southern cities.

5. The pattern of the passive resistance sit-ins is coming into focus here in Nashville. A special report compiled for the Nashville Community Relations Conference, headed by George Barrett, a white attorney and member of Mayor West's biracial committee for settling the sit-ins, reveals the organization behind the movement. This is not a fully organized mechanism but a loosely worked out plan mixed with a spontaneous movement.

Many white leaders have noted the resemblance of the tough, new Negro student spirit to the emergence of student

nationalism and to passive resistance techniques abroad.

This week, the report to the conference disclosed that the Rev. James Morris Lawson Jr., a thirty-two-year-old former Negro divinity student at Vanderbilt University, had helped to start the demonstrations here.

Studied Gandhi Technique
Mr. Lawson's dismissal last week from the university for that activity has caused great dissension within the university faculties.

The point is the young Negro leader, who insists he is a devout Christian missionary, passed three years in India studying among other things Gandhi's passive resistance techniques and teaching school there.

He also revealed to the committee that he had been in telephone communication with Martin Luther King, Negro student groups in North Carolina, and that he helped work out the timing of the Nashville demonstrations with those in North Carolina and elsewhere in the South.

Last November, Mr. Lawson began a series of workshops for training students in non-violent sit-in methods. These workshops were conducted in Clark Memorial Church, a Negro Methodist Church in Nashville.

Four of these training classes were held in November and December, and three in January.

Taking part in the student program were students from Fisk College, which is regarded among the Negro institutions as "Ivy League"; Tennessee Agriculture and Industry University, and the small Baptist Theological Institution. Fisk, which has an enrollment of 700, and the state Negro university, which has more than 3,000 students, have been better rivals over the years, and this is the first time they have co-operated in a total spirit of unity.

Mr. Lawson said that the basic ideal in the workshops was to teach Christian pacifism within the city limits, but the Negroes turned on him with objector and was once in custody for his pacifist beliefs. An important part of the training involves what he calls the violent one Feb. 27. Mayor West, obviously worried, gladly accepted a proposal to form a bi-racial committee to settle

place such as a waiting room and various students would play various roles as they tried out sit-down techniques.

First Test in November

On Nov. 28, a group of these indoctrinated students tried their first sit-in in Harvey's department store here in Nashville. This was a quiet affair which brought no public notice whatever and the newspapers missed it entirely. Another test was tried out on Dec. 5 in another store. Fifteen to twenty students formed the early classes founded by Mr. Lawson, and twenty more students later sought the instruction.

The philosophy of group leadership, of pulling together with a common mind, of inculcating creativity and mutual trust, and working together in a spirit of confidence, all were derived from the program of the Nashville Christian Leadership Council, Mr. Lawson explained.

This is a branch of the Southern Christian Leadership Council headed by the Rev. Martin Luther King, Negro minister formerly of Montgomery, Ala., and now of Atlanta.

On Feb. 10, Mr. Lawson received a telephone call from North Carolina where students were demonstrating. The young Negro minister called a meeting that night of fifty students and they became the core for the first sit-in of the recent series in Nashville.

The demonstrations here considerably impressed the white people of the city because of the Negroes' ability to hold their passive resistance philosophy in the face of outrageous abuse from the young, leather-jacketed hoodlums who invaded the stores and tormented them with verbal abuse, cigarettes jabbed in their hair, jostling and some punching.

The public reaction in this city, which is probably the most liberal of any of the Southern cities, was harder on the police and city administration because the hoodlums were not arrested. Only the Negroes were taken off to jail.

Mayor West has enjoyed a very high popularity with the Negro community of 50,000 within the city limits, but the Negroes turned on him with anger for what they called police mishandling of the sit-down situations, particularly the violent one Feb. 27. Mayor West, obviously worried, gladly accepted a proposal to form a bi-racial committee to settle

the clashes. He appointed as chairman Dr. C. Madison Sarvatt, vice-chancellor emeritus of Vanderbilt University and one of Nashville's most respected citizens.

The committee heard this week's statements from the students of three Negro colleges and, separately, statements by proprietors of the affected stores, which included two department stores and a number of chain-owned variety stores, such as F. W. Woolworth, W. P. Grant, Walgren's Drug Stores, McClellan's and others.

The Negroes said after their meeting with the committee that they will hold out for desegregation of the store-operated lunch counters which have chairs or stools. Stand-up lunch counters are not segregated in the city. But the students have indicated, according to reports, that if it will make the transition easier for the stores, they will agree to a "gradual desegregation."

This means they would limit the Negroes at the lunch counters to perhaps four or five students at a time in the beginning, but would insist on full integration after a transitional period.

The committee will make its recommendations to Mayor West early next week.

Auto Dealers Put Under Fire

Threaten Boycott After Motor Show Ban

MEMPHIS, Tenn. (Embittered) Negroes threatened a boycott of Memphis auto dealers at a protest meeting after being banned from an Auto Show at Ellis Auditorium. 1-23-60.

The show was held for the benefit of St. Jude Hospital, which is sponsored by nationally famous television and nightclub comedian Danny Thomas.

Ironically, a Negro, internationally noted Paul Williams, is reported to be the architect for the proposed hospital.

About 300 civic, social and business leaders gathered for about two hours and resolved to challenge the Memphis auto dealers to issue a public statement within 10 days answering the discrimination charges.

IF THE DEALERS do not respond within the appointed time, the resolution states, "Negroes can always buy their cars in West Memphis," Atty. B. F. Hooks said.

Copies of the resolution were mailed to city and state and auto manufacturer throughout the nation. The group also is probing the possibility of refusing to buy automobiles from Memphis dealers.

Attorney Hooks, elected president of a Temporary Committee appointed to investigate the matter, is joined by Atty. A. W. Willis and CPA Jesse Turner as co-members.

"We are operating a segregated auditorium," said Chauncey Barbour, manager of the establishment.

"That's the way I've been instructed to operate it," he said. "There is no way we can let Negroes sit in the balcony. If they have a ticket to enter, they could go all over the show."

Barbour pointed out that a few Negroes did attend last year. He also said the matter of having a separate day for Negroes was turned down by the Auto Show Committee.

Top white entertainers on the bill for the show include Frankie Laine, The Modernaires, Bob



Danny Thomas Paul Williams

Crosby, the June Taylor Dancers, the Jimmy Dorsey Orchestra and Betty Grable.

THE SHOW WAS sponsored by the Memphis Automobile Dealer's Association.

A total of six Negro organizations attended the meeting which was called by W. W. Walker, prominent businessman who founded and heads the Victory Bell Burial Association and is president of the W W Walker Construction Company.

Walker stated prior to the meeting, "I want to protest such action against Negro citizens of Memphis. I feel that as taxpayers and citizens of Memphis, we have a right to participate in an auto show or any other show of public interest."

"Monies from the show will be for St. Jude Hospital, which will benefit not only white children but children of all races. It's a shame not to permit Negroes to attend."

ANOTHER WHO voiced strong protest against the ban was O. W. Pickett, manager of the Cornett Real Estate Company, who said he had called Danny Thomas, and if he didn't reach him by telephone, would send Thomas a telegram.

"I'm a Catholic," Pickett said. "I don't see how they can do us like that. I went down to buy a ticket so I could contribute to St. Jude Hospital, which will be for all children."

They refused to sell me a ticket. I went to the auto show last year. I have also been to the home show and the appliance show, and there was no objection.

"I am interested in St. Jude Hospital going over."

Are We Ready?

The swift organization and strategy of the Shelby County Improvement Association (Memphis) in countering the anti-Negro attitude of the local automobile dealers in barring colored people from the recent automobile show, would seem to offer affirmative answer to the age-old question, "Are we ready?"

Even though the aroused white auto dealers of Memphis have apologized for their Negro exclusion, colored automobile owners of the city should overwhelmingly support the drive to buy cars direct from Detroit through their own marketing agency and thus purchase the 10,000 to 16,000 new cars they buy annually.

Are other Negro communities in Dixie prepared to demonstrate that they, too, are ready?

Any local white automobile dealer who is not an NAACP or Urban League supporter, who has not supported the 1954 U. S. Supreme Court desegregation decision, and who supports the White Citizens Council is not deserving of Negro patronage and the huge commissions thereby received.

Only when Negroes have learned such economic facts of life can they be said to be really ready.

Editorials

The Stir in Memphis

The stir among Negroes in Memphis because non-whites were barred from a recent automobile show has led to the formation of the Shelby County Improvement Association, representing the \$25 million Memphis Negro car market and advocating the purchase of automobiles directly from Detroit.

It is said that one in four of the 175,000 Memphis Negroes owns an automobile, and that they purchase a minimum of 10,000 and a maximum of 16,000 cars annually, not including trucks, tractors and motorcycles.

Local white car dealers are being asked for an explanation of why this vast car market was ignored and Negroes barred from the automobile show; but whether or not a satisfactory explanation is forthcoming, certainly the Shelby County Improvement Association is giving the rest of the Negro South a whole lot to think about.

An automobile owners' cooperative society in ANY Negro community where racial bias is felt strongly could not only save colored car buyers considerable money yearly by pooling purchases directly from manufacturers but might have a salutary effect on loyal white middlemen who are often the backbone of White Citizens Councils in keeping Negroes from gaining full citizenship rights. Cooperative societies are everywhere, and everywhere they are legal and encouraged by the state.

Negroes Seek Bias End In Memphis

Memphis, Tenn. — Eleven prominent Memphis Negroes this week filed suit against the city with the end purpose of attaining extended and full integration of all public owned facilities. *Mem. 5-19-60*

The group seeks the desegregation of Memphis' museums, art galleries, golf courses, tennis courts, playgrounds, parks and board docks. The 11 plaintiffs consisted of four Negro doctors and other citizens.

Named defendants were the City of Memphis H. S. Lewis, superintendent of the Memphis Park Commission, and members of the Park Commission.

Seek Injunctions

The suit asks an injunction preventing the defendants from operating these recreational facilities "on a racially segregated basis."

The suit submits five instances where taxpaying Negro citizens were denied access to Pine Hill Golf Course, the boat dock at McKellar Lake, Brooks Art Gallery, John Rogers Tennis Court and the Memphis Museum.

"In the past: the suit states, when certain Negroes have tried to use these public parks, they were 'arrested and charged with trespass and other violations of the criminal laws of the State of Tennessee, solely on account of the race and color of these persons.'"

The rights sought are those guaranteed by the Fourteenth Amendment of the Constitution, the suit states.

Members of the Park Commission named in the suit are Harry Pierotti, E. C. Bariwick, Leo Bearman, John Gorman and Walter Wellford, Jr. The suit was filed by A. M. Willis Jr. and R. B. Sugarmon Jr.

Negroes Start Eating In Nashville Stores

Small Groups Sit At Lunch Counters;
Secret Agreement Is 1st Big Breakthrough

By The United Press

Nashville, May 10.—Small groups of Negroes began eating at previous all-white downtown lunch counters Tuesday under an agreement reached secretly.

Groups of four or five Negroes walked quietly into six stores Tuesday afternoon, sat down at the lunch counters, ordered, and were served.

Store managers had agreed ahead of time that they would serve them.

The Nashville lunch-counter desegregation was the first major breakthrough by Negroes in the passive-demonstration campaign. It began in Greensboro, N. C., in February and included sit-downs in every Southern state except Mississippi.

Trial or token desegregation of some lunch counters has been attempted in a few cities, but Nashville's lowering of color bars was the first major lunch-counter desegregation in the downtown area of a large Southern city.

Breaks Stalemate In Protests

Tuesday's action broke a stalemate that had existed since the first lunch-counter sit-down protests began nearly three months ago. During that period almost 100 persons, mostly demonstrators, were arrested and the sit-downs resulted in violence several times.

Secret negotiations for a settlement began in earnest after the April 19 bombing of the home of Negro City Councilman Z. Alexander Looby.

Before the bombing, the Negroes had turned down a proposal for partial integration of lunch counters. The plan was proposed by a biracial committee appointed by Mayor Ben West.

The secret negotiations involved Negro leaders and store officials. Final agreement was not reached until Monday.

Three dime stores, a drugstore, and two department stores agreed to serve small groups of Negroes. The Negroes agreed not to seek service at the department-store dining rooms.

In Winston-Salem, N. C., a group of about 250 Negroes chanting "Segregation must Go! Go! Go!" demonstrated in half a dozen downtown stores Tuesday and then marched on City Hall, where they staged a sit-down on the front steps.

Radio WDIA Blasted

Memphis NAACP Hits Segregated Seating For Starlight Revue

MEMPHIS, Tenn.—The Memphis branch of the NAACP has lodged a formal protest to radio station WDIA, objecting to the proposed segregated seating arrangements during the station's annual Starlight Revue, scheduled for Crump Stadium on July 1.

The NAACP's protest was filed in the form of letters to Mr. Sonderling, president; Mr. Ferguson, executive vice president; Mr. Williams, WDIA's public relations director, and signed by Jesse H. Turner of Tri-State Bank and chairman of the executive committee of the local branch. The letter stated:

It has come to the attention of the Memphis Branch of the NAACP that Radio Station WDIA is planning to present its "Starlight Revue," this year, at Crump Stadium, with separate facilities for Negro and white patrons.

"The NAACP is familiar with the contributions made by WDIA 1.) The Goodwill Home; 2.) Transportation of crippled children; 3.) Its athletic program for Negro youths, and 4.) Pioneering, locally, in providing employment opportunities for Negro radio announcers. However, the local branch cannot reconcile these contributions with the station's proposed racially segregated show.

WDIA's presentation of this racially segregated show becomes more humiliating to the Negro citizenship, when one realizes in his march towards first-class citizenship the position to which WDIA has risen in the Negro's advertising market.

• An advertisement by WDIA, currently appearing in a national magazine, states: "Through active, public service and civic leadership, WDIA has become part of its listeners (Negroes) daily lives . . . when the Negro buys, he selects the products he has heard about on WDIA."

"The Negro (to whom all of WDIA's programs are beamed and, as a result of which, WDIA receives all of its income) will be shocked to learn that WDIA

has so little respect for the Negro's drive for freedom that it will use the position of leadership that it has attained in the Negro community to further the cause of segregation and racial discrimination.

• "Particularly is this alarming since it comes at a time when hundreds of Negro students here, and in other Southern communities have been humiliated, beaten and jailed for no other reason than that they desire equal participation in industry and government as afforded persons in other racial groups. The fact that the proceeds from the segregated revue will go to charities, does not alter the fact that this performance will serve to perpetuate the discriminatory patterns that the Negro is fighting, now, to eliminate.

"Accordingly, the Memphis branch of the NAACP lodges a vigorous protest against WDIA's proposed segregated "Starlight Revue," which is scheduled to be presented at Crump Stadium, July 1."

There has been no comment from the radio station, and it is not known, at this time, what bearing the protest will have on the staging of the event. However, tickets still are being sold throughout the city, on a segregated basis.

38a 1960

TENNESSEE

NOVEMBER 1960

VOTING PROTEST PICKET

150 Negro Students Jailed For Parade *The Commercial Appeal* Lane College Group Is Held For Voting Protest

From The Commercial Appeal
Jackson, Tenn. Bureau

JACKSON, Tenn., Nov. 8. —
About 150 students of Lane Col-
lege for Negroes were jailed
here late Tuesday afternoon for
parading with signs protesting
that Negroes don't "vote freely"
in Haywood and Fayette Coun-
ties and other parts of the South.
The students were charged
with disorderly conduct, threat-
ening breach of peace and vio-
lating a city ordinance requir-
ing a permit to parade.

They began marching from
the college about a mile from
Court Square. Some were arrest-
ed along the way when they re-
fused to comply with police
orders to disperse. Some of the
group, however, reached the
business section and began
marching around the Courthouse
before being jailed.

Police Chief Raymond Gaba
said the "biggest portion" of the
students were being transferred
to Madison County jail because
of lack of room in the city jail.

Lane College students have
been picketing downtown Jack-
son variety stores and staging
occasional sit-in demonstration
since Oct. 27 in protest against
lunch counter segregation. About
15 Negroes and five white per-
sons have been arrested.

Lane is a Methodist-owned
college with an enrollment of
about 500.

4 Pastors In 7-Day Walk "Around Segregation Walls"

Protest Staged In Knoxville

Group Follows Example Of Joshua In Jericho Battle

KNOXVILLE, Tenn. — Without fanfare and following the Biblical example of Joshua, four Knoxville ministers walked in "faith, prayer and love" around the walls of segregation.

On Good Friday morning they ended the seven-day walk after seven final times around the downtown area of about five blocks square.

They were Father Matthew Jones Sr., minister of St. Luke's Episcopal Church; the Rev. Nathaniel Linsey, minister of Mattie E. Coleman CME Church and president of Knoxville's NAACP Branch, and Rev. Carroll Felton, Jr., minister of Logan Temple AMEZ Church and president of Knoxville.

ELDER B. C. Campbell of Antioch Holiness Church had taken ill after walking a couple of days and was not on the scene when the picture was made.

In a formal statement the



March Around Segregation Walls

These are three of the four pastors in Knoxville, Tenn., who ended a seven-day walk around the downtown area of Knoxville last week in protest against racial segregation.

Left to right are Father Mathew Jones Sr., minister of St. Luke's Episcopal Church; the Rev. Nathaniel Linsey, minister of Mattie E. Coleman CME Church, and the Rev. Carroll Felton Jr., minister of Logan Temple AMEZ Church. Not shown is Elder B. C. Campbell of Antioch Holiness Church.

ministers said, "The practices Divine revelation. We cannot constituting these walls are: be saved from it. We must Segregation in the Church, in refuse for conscience sake to Recreation, in Hotels, in Eat-take another way out. We are Establishments, in Hospi-all prone to search for accom-modating formulas which tals and Jobs."

"This walk is the result of ing the principle at issue. Je-

sus went on wards right to death not praying for divine intervention, nor imagining that His Father had provided this or that way out of danger," they further stated.

Integration Suit Needs 3 Judges

MEMPHIS (AP)—U. S. District Judge Marion S. Boyd Friday ruled that a three-judge court must hear a suit brought to desegregate the restaurant at the city airport.

The Negro plaintiffs had asked the judge to hand down a summary judgment ordering the restaurant integrated. They argued that the case involved no issues concerning facts but only an interpretation of federal law. No date was set for a further hearing.

Racial Suit Set For U.S. Panel

MEMPHIS (AP)—U. S. District Judge Marion S. Boyd Friday ruled that a three-judge court must hear a suit brought to desegregate the restaurant at the city airport.

The Negro plaintiffs had asked the judge to hand down a summary judgment ordering the restaurant integrated. They argued that the case involved no issues concerning facts but only an interpretation of federal law.

No date was set for a further hearing of the suit.

Negroes Reject Segregated Park

The proposed Negro park as suggested by Mr. Brents McBride the State Commissioner of Conservation has been rejected by the local Branch NAACP. As explained to this newspaper the objection is purely on the grounds of a Negro Park. It was explained that there is a

need for additional recreational facilities but without restrictions.

As reported by the daily press whites are also protesting the Negro Park but for different reasons.

The full text of N.A.A.C.P. protests follows:

The Nashville Branch NAACP strongly protests the proposed action, recently announced by the Commissioner of Conservation of the State of Tennessee, directed towards establishing a racially segregated State Park on Old Hickory Lake.

Such action would be ill-advised and against the best interest of all residents of Tennessee for the following reasons:

1. The establishment or maintenance of racially segregated public recreational facilities is directly contrary to recent decisions of the Supreme Court of the U. S., holding that such facilities deny basic rights secured by the Constitution of the U. S.
2. The proposal to use Federal owned or leased lands for the purpose of creating such segregated recreational facilities as announced in press reports, very probably could not be effectuated, and even if it could, would be contrary to the announced policy of the U. S., against racial segregation in public facilities.
3. In present times, when the efforts of all freedom loving people and men of good will should be directed towards elimination of divisive factors, which separate people of our State and of our Nation; the proposed action of the Commissioner of Conservation of Tennessee is entirely out of step with that devotion to progress and development of the State, which its Citizens are entitled to expect.
4. We call upon State Officials of Tennessee, to devote their efforts towards fostering full and unrestricted use of public facilities by all Citizens of the State. The is signed by

A. Z. Kelley, President and R.B. J. Campbelle, Jr., Sec.

Armed Negro Youths Start Fight On Bus

MEMPHIS (AP) — Four Negro youths were arrested Thursday night during a rash of free-for-alls that broke out on city buses returning fans from a Negro high school football game. Police quelled the disturbances

RELATED STORY ON PAGE

by putting officers aboard the buses and trailing others with squad cars. They confiscated a loaded sawed-off shotgun and a dozen knives.

A 16-year-old Negro girl was hospitalized with deep facial cuts suffered when a brick was hurled through a bus window, showering her with shattered glass.

Operators said the Negroes, most of them students, became rowdy as the buses pulled away from the stadium. When they protested, the drivers said, they were cursed.

The shotgun was found under a seat occupied by two young Negroes. They were arrested. Two others were arrested a charged with being drunk and disorderly and using profanity.

Separate visiting to be held Sept. 8-10

MEMPHIS — (ANP) —

Memphis laws prohibit colored from watching the monkeys at the zoo on the same day that the "white folks" are looking at them.

This absurd law was invoked last week when eight police squad cars converged upon the zoo to arrest three teen aged girls because they visited the zoo on the day set aside for white visitors.

Negroes are allowed to visit the zoo only one day a week, although the zoo is sustained with public tax money. But these three girls, two 15 and the other 17, walked inside the Overton Park Zoo and were looking at the sea-lions when two officers came up and asked why they were there on the day reserved for whites.

One girl replied that it was a beautiful day and they decided to visit the zoo. The two park policemen asked them to leave. When the girls refused, the Park policemen radioed for more police.

In a matter of minutes the eight scout cars arrived and carried the three little girls to the police center for questioning. They were later taken to Juvenile Court where they were held for about four hours.

THREE STUDENTS FINED IN MEMPHIS ZOO CASE

MEMPHIS, Tenn. (SNS) —

Three students were fined this week on charges of disorderly conduct for looking at the animals on the "wrong day."

David L. Moore of 31 West Kirk, Otis L. Hayes of 192 West Dison and Michael Morris were fined \$26 each by City Judge Beverly Bousne because they entered the Zoo on a "white day." Thursdays are reserved for Negroes. Atty. H. T. Lockard, one of the defense attorneys, said the fines will definitely be appealed.

Three other charges—loitering, threatened breach of the peace and conspiracy to disturb the peace—were dismissed, the latter two by controversial Judge William Ingram who held a hearing on the case earlier.

LEAVE OR BE ARRESTED

The students involved were allegedly told by police officers at the Zoo to leave or be arrested.

"It was interesting during the questioning of the arresting officers and the captain that all they had to support the arrest of the students was their statement that the Zoo has been segregated for 20 years," Atty. Lockard said. "When pressed on the matter they could come up with no law that calls for segregation at the Zoo, and seemed in doubt as to what legal right they had to make the arrest themselves."

"Their failure to come up with a law to support the arrests is a clear-cut demonstration that they are operating on custom, which is no authority," he added.

NEGROES HAVE THE RIGHT

Atty. Lockard said he believes Negroes have a "perfectly legal right" to attend the Zoo any day they feel like it and that he is not going to discourage or encourage any Negro citizen who feels he has that right. The United States Supreme Court has ruled that segregation in public facilities is "unconstitutional."

Also representing the students were attorneys C. O. Horton and B. F. Jones.

Memphis Negroes May Buy in Detroit

Car Dealers Threatened

MEMPHIS, Tenn. — Memphis' \$25,000,000 Negro car market threatens to buy automobiles direct from Detroit if local auto dealers give no satisfaction as to why Negroes were banned from the recent auto show at Ellis Auditorium.

Immediately after being barred from the auto show Negroes met and formed into a permanent organization, the Shelby County Improvement Association.

The organization, which launched an immediate city and county membership drive, will meet again on Feb. 12 to hear from Memphis auto dealers. The group set Feb. 10 as the deadline for the auto dealers to offer a public explanation as to why Negroes were kept out of the auto show.

THE NEWLY FORMED Negro group represents a vast automobile purchasing market. There are some 40,000 Negro families in Memphis who represent a 10,000-car market. Since there are 175,000 Negroes in Memphis, figures show that better than one in every four Negro families buys a car.

Authoritative information reaching The Courier states that Negroes in Memphis purchase a minimum of 10,000 cars, and a maximum of 16,000. This figure does not include Negro buyers of trucks, tractors and other vehicles.

The recent auto show was for the benefit of St. Jude Hospital, a non-sectarian enterprise sponsored by noted TV and movie comedian, Danny Thomas.

THE SHELBY COUNTY organization also reported that it had formed permanent offices at 588 Vance Ave. The group said several Memphis auto dealers had sent letters to them, but the contents of the correspondence will be kept secret until the Feb. 12 meeting.

Apology Fails to Soothe

Auto Show Ban Pushes Memphis Negroes to Act

(Special to The Courier)

MEMPHIS, Tenn. — An outright apology from one automobile sales company and a letter expressing "regret" from an automobile association representing 27 dealers failed to soothe the wounds of thousands of Negro car owners who were denied admittance to the big automobile show held recently in City Auditorium.

At a meeting attended by nearly 200 Friday night, the newly born Memphis and Shelby County Improvement League which grew out of a group protesting the auto show incident, voted to expand its campaign for fair play and equality.

Headed by the dynamic young lawyer-minister-politician, Ben L. Hooks, the league voted to:

1—Send questionnaires to all businesses patronized by Negroes, asking these firms if they hire Negroes and in what capacities, if they have segregated toilets and water fountains and if they use title courtesies when addressing Negroes;

2—Mail the same questionnaires to all automobile dealers who participated in the all-white auto show, and

3—Authorize a committee appointed by the league to investigate the possibilities of setting up a co-op in Memphis.

PRESIDENT HOOKS praised an editorial, "The Stir in Memphis," which was published in last week's issue of The Pittsburgh Courier.

The Courier editorial advocated an automobile owners' co-operative society among Negroes in Memphis. "The edi-

PRESIDENT Hooks explained: "We not only are concerned about job opportunities, but also about how we are treated. We've got to trade with people who treat us right, and we've got to provide jobs for our young people."

Dr. D. W. Northcross reported

that a committee appointed by the league had called on the heads of several of the larger chain food centers. Most of the food centers in Memphis patronized largely by Negroes already are employing some Negro personnel.

The apology came in a letter from Automobile Sales Company (DeSoto and Plymouth), Iver Schmidt, president. It read:

"... We were deeply appalled when we learned that customers of ours were being turned away because of their race. Let us express our sincere apologies for the inconvenience, and I'm sure, embarrassment which must have been suffered by those who sought admission.

"We had no knowledge during the planning of the show that Negroes were to be excluded. Had we known, you can be assured that our cars would not have left our showroom floor. We deeply regret this matter and again humbly extend our apologies."

The letter was signed by Iver Schmidt.

THE LETTER from the Memphis Automobile Dealers Association read:

"The Memphis Automobile Dealers Association, on behalf of its members, wishes to acknowledge receipt of your letter of Jan. 19, 1960. On behalf of its members the association wishes to express its regret—and if the association should sponsor another such event an effort will be made to resolve it."

The letter was signed by the association president, Downing Pryor.

The decision to bar Negroes from the auto show was made by the manager of the auditorium, who declared he was under orders to keep Negroes and whites from coming together in the building.

The league will meet again Feb. 26 at Mt. Nebo Baptist Church, Vance and Lauderdale.

Squeezers face action

The Afro-Am
BALTIMORE, Md.
SOMERVILLE, Tenn.—One of the three main weapons that local residents will use against an economic squeeze by whites is a Tennessee law that, sitdowners were threatened with — the restraint of trade law of 1957.

The squeeze is the result of efforts of local residents to register and vote. Colored business men are not being serviced by wholesalers who fear economic retaliation by whites; farmers are being denied credit, equipment and seed; sharecroppers and renters are faced with being kicked off the plantations where they work.

ONE OF THE chief victims is John McFerrin who last week told the AFRO how he has built a service station, using \$4,000 of his own funds which refinancing companies refused to stock his tanks with gasoline. One company which agreed to do so had its truck turned back by armed men.

James F. Estes, Memphis attorney for Mr. McFerrin, said that this agreement among wholesalers not to sell to Mr. McFerrin and other businessmen is in clear violation of the restraint act.

"Sitdown demonstrators in both Nashville and Memphis have been threatened with prosecution under this act — well, if it applies to one, it should apply to all."

He said he is writing Gov. Buford Ellington and other state officials asking them to investigate the violation and take action.

The Afro-Am
MR. ESTES has two other weapons to bring to bear against the economic squeeze. Last Saturday, he addressed a letter to the local chairman

of the Government Contracts Compliance Committee.

In it, he pointed out that two of the refineries which refuse to do business with Mr. McFerrin because of his color, are holders of government contracts for jet fuel.

Also, "We're not overlooking the possibility of a civil suit by a long shot," Mr. Estes said.

THE YOUNG attorney is not confining himself to the economic aspect of the Fayette and Haywood counties problem.

"Yesterday," he said Saturday, "President Eisenhower signed the civil rights bill into law. We are immediately seeking to have federal registration referees appointed in Fayette County."

He explained that Fayette County registrars quit their post to thwart an investigation by the Civil Rights Commission and that none have been appointed to succeed them.

The federal registrar will have to move fast, he told the AFRO. "Already, there is a conspiracy afoot to remove colored residents from the larger plantations and replace them."

"Some of the land-owners have gotten together and agreed that when the crops are gathered, they will order all colored persons off their land."

"These will be the sharecropper, day workers and renters. That's the only way the whites can keep their voting strength."

(In Fayette County, 13,000 of the 21,000 residents are colored; in Haywood County, 16,000 of 26,000 are colored.)

MR. ESTES said he has information that the land-owners intend to subsidize Mississippi white to settle on their lands. They also plan to use seasonal, migratory

Mexican labor.

"In other words, they want to replace voters with non-voting aliens."

How are the colored residents surviving with the squeeze on?

"They are managing out; of course, they are a long way from being comfortable. Friends and relatives in Memphis and elsewhere are taking them food, clothing and money."

"Mr. McFerrin himself? Oh, he's a great man, I have nothing but admiration for him. And for Odell Sanders in Brownsville, too. He's been under the same pressure as Mr. McFerrin."

"Mr. Sanders runs a grocery store and has to drive 50 miles daily for supplies—none of the local white wholesalers will supply him."

"Some have frankly told him that they have been threatened with complete loss of white trade if they sell to him."

"NOW THAT we have taken the initiative to fight this pressure," Mr. Estes said, "It's hard to say what will happen next. I can say, however, that it's a shame that these individuals have to fight individually for their constitutional rights."

"What is needed is for the Justice Department to fight such cases on its own initiative. Despite this, our people are standing fast; they are not turning back."

May Sue Gasoline Companies

Economic Squeeze Still On; Negroes Register in Tenn.

By TREZZVANT W. ANDERSON

BROWNSVILLE, Tenn.—Although the economic squeeze is still being carried on against Negroes in Haywood and neighboring Fayette counties, at least one important concession has been made by whites to Negroes.

The registration books in Haywood were opened, May 16, for a period of six straight days, to allow Negroes to register.

This action followed a visit to the Haywood County Elections Commission by a group of Negro leaders who, previously, had conferred with Atty. J. F. Estes in Memphis, on steps to take to get the books opened.

He had advised the visit. The Negroes made their visit on the day after President Eisenhower signed the new, 1960 Civil Rights Act, authorizing Federal voting referees.

HEADED BY George Graves, president of the Haywood County Civic and Welfare League, Inc., the group went to see Dr. W. D. Poston, chairman of the elections commission.

The agreement to open the books for a six-day period to allow Negroes to register was the result. All during the week, Negroes poured into the commission offices to get their names on the books.

There are some 5,000 eligible Negro voters in Haywood County. But the economic squeeze was on, still, despite this action.

AMONG THE GROUP visiting the commission, in addition to Mr. Graves, were: Rev. George W. Douglass, Thad Turner, T. O.

Crews, E. P. Rice, Odell Sanders and others.

Meanwhile, the situation continued tense in nearby Fayette County, where gasoline dealers continued their refusal to sell gasoline to John McFerrin, the youthful war veteran who is spearheading the Negro drive in that county.

Attorney Estes told The Courier that he is contemplating filing a suit for \$500,000 against several gasoline companies on behalf of Mr. McFerrin.

The charge would be conspiracy to restrain trade. He said he might ask, also, criminal prosecution against whites for threats against Negroes.

WHEN THE Courier talked with Attorney Estes in Memphis, last week, the attorney said he had one additional gas company to contact in his efforts to get somebody to sell gas to McFerrin to relieve the drastic need for gas in Fayette County for Negro farmers.

Should that bid fail, Attorney Estes said, he would have no other recourse except to sue in the courts. Major oil firms whose products are being denied Mr. McFerrin, include: Texaco, Esso, Gulf and Amoco.

The tight squeeze on Negroes by white merchants who refuse to sell to them is continuing. However, there have been a number of offers of help from differ-

ent sections of the country, Attorney Estes said, and the bottleneck may be broken, soon.

THE AGGRESSIVE attorney pointed to the recent citation of Fayette and Haywood Counties by the U. S. Department of Justice, plus the features of the newly elected Civil Rights Act as factors in the Haywood elections commission's opening of the books to Negroes.

It has been the burning fear on the part of whites that Negroes, if given the voting strength, would take over rulership of the counties. However, The Courier interviewed many Negroes in both counties and asked them if they had any such thoughts. Everyone of them replied in the negative. "We just want to be free like everybody else, and have a say in who goes in office, that's all." That was the answer most of them gave.

But the pressure is still on, and tension is still high in these two counties. Commenting on the \$2,000 death fund raised to get rid of him, Mr. McFerrin told The Courier: "If I turn up missing, anytime, you'll know the true story and the real reason." Fayette and Haywood are still sitting on a powderkeg and could explode at any minute.

SUIT

TO HAVE MEMPHIS DESEGREGATE
CITY OPERATED- ART GALLERY TENNIS COURT,
GOLF COURSE, PARKS, BOAT DOCKS AND
MUSEUMS

Court Suit Seeks Use Of Golf Course, Parks, Museums, Boat Docks

MEMPHIS, Tenn. (SNS) — 31 of this year.

A law suit was filed in Federal Court Friday afternoon by eight attorneys representing 11 persons who are seeking to have the City of Memphis desegregate the city-operated art gallery, tennis court, golf course, parks, boat docks and museums. Named as defendants in the suit were the City of Memphis, Board of Directors of the Memphis Park Commission, consisting of Harry Pierotti, E. C. Barwick, Leo Bearman, John Gorman and Walker Wellford, Jr.; and also H. S. Lewis, superintendent of the Park Commission.

Plaintiffs in the suit are:

Dr. I. A. Watson, Theron W. Northcross, Sr., Dr. A. E. Horne, Sr., all dentists; Dr. W. O. Speight, Jr., a physician; John Gholston, 22, of 1447 Britton St., his brother, Harold Gholston of the same address; Alfred Haynes, Jr., 21 of 1423 Britton St.; Curtis King, 20, of 774 Yale St.; Melvin Malunda, 237 S. Wellington St.; John Rogers and Thomas Pugh.

RACE FACTOR CITED

Attorneys for the plaintiffs requested in the suit that the defendants be permanently enjoined from segregating the public facilities solely because of race and color. The brief filed also stated that each plaintiff paid real or personal property taxes to the City of Memphis for the purpose of supporting public recreational facilities which are constructed, maintained, operated or leased by the defendants, "who segregate them solely because of race and color."

The four doctors who are the defendants in the golf-course suit; Doctors Watson, Jr., Speight, Jr., Horne, Sr. and Northcross, Sr. stated in the brief that they were denied permission to play golf at Pine Hill Golf Course in March

Melvin Malunda stated, according to the brief that he was denied the use of the Boat Dock at McKellar Lake on April 10.

Johnny and Harold Gholston, Alfred Haynes, Jr., stated that they were refused admission to Brooks Art Gallery on April 27; as well as the privilege to play tennis at the John Rogers Tennis Court on the same day.

Thomas Pugh and Curtis King stated in the brief that they were denied admission to the Pink Palace museum on April 29.

The brief went on to state "in the past, when certain members of the plaintiffs' class (Negroes) have insisted upon using and enjoying the facilities (as whites do) they have been arrested and charged with trespassing and other violations of the criminal laws of the State of Tennessee, solely on account of the race and color."

Attorneys representing the plaintiffs are:

A. W. Willis, Jr., Russell B. Sugarmon, Jr., H. T. Lockard, Ben L. Hooks, B. F. Jones, C. O. Horton and Constance Baker Motely of New York City and Thurgood Marshall of New York City.



STAND-IN IN TEXAS.—A four-hour demonstration by University of Texas students, urging integration of movie houses near the campus, was held in Austin Monday. Over 200 students,

both white and Negro, filed past the box office asking if "all our friends would be admitted to the movie." An unidentified Negro boy is being turned away in the above photo.

White Man Strikes Boy In Market

The Informer Houston, Tex.
Sat. 3-12-60
HOUSTON — Whether the striking of a ten or eleven year old boy by a white man with a piece of can goods in the Mini-max store on Holmes Road in the Sunnyside area Tuesday evening was due to the racial tension that has gripped the city could not be ascertained, but the manager said when he found out who the man was he would be ordered to keep out of the store. P.10

According to a story related by a witness and called to the attention of The Informer by her sister, the man struck the child for no known reason. The lady heard some of the male help say the child had not done anything to the man, and when they said so and she went to the little boy the man pulled a knife.

When Ernest Goff, manager of the store, was first asked about the incident he said he knew nothing about it and couldn't believe it happened due to the close friendship between he and people of the area.

He called a few minutes later after apologizing, said it did happen, but the women workers who witnessed the incident were not in at the time. He received an account from a clerk who had been told about it.

Goff said he was "d. sorry" over the incident and assured that no such act was condoned by him or the management.

1st Sylvan Beach Suit Is Dismissed

The Informer Houston, Tex.
Sat. 3-5-60
HOUSTON — The first suit filed by Negroes to desegregate Sylvan Beach facilities was dismissed by U. S. District Judge Joe Ingraham Wednesday for lack of prosecution.

The judge, on Feb. 9, signed an order that the suit would be dismissed unless the plaintiffs showed good cause to the contrary by Feb. 29. The complaint, filed by Leroy J. Beverly, Burrell C. Harris, Mrs. Shelley Hawthorne, Leo Rushing and W. D. Wyatt was never prosecuted. They were denied admission to the park in 1956.

Cafe Serves Negroes, But Coffee Is \$2.50

The Informer Houston, Tex.
Sat. 3-5-60
HOUSTON, Tex., March 29 (AP)—Four Negroes were under charges of disturbing the peace today after refusing to pay \$2.50 a cup for coffee at a cafe.

The three men and a woman sought service at the Tasita drive-in here last night.

"When they finished their coffee I showed them the special menu for negroes," said Mrs. Eudelia Ybabra, 33, years old, a waitress.

The special menu sets charges of \$2.50 for a cup of coffee, \$15 for steaks, \$8.50 for ham and eggs, and \$3 for a grilled cheese sandwich.

Mrs. Ybabra said the negroes had refused to pay for their coffee, so she called the police. The corporation court charges were filed against Eugene Jackson, 29; Mrs. Jackson, 29; Doll David Johnson, 31; and Willie B. Green, 37.

Eugene Martinez, 45, owner of the cafe, said he had never served negroes.

"But when this sit-down thing started I prepared this special menu," he said. "Negroes can eat here all they want. But they're going to have to pay heavy for it."

Galveston County Commissioners Exclude Negroes From Public Park

The Informer Houston, Tex.
Sat. 3-12-60
GALVESTON—In a vote taken last Monday night, with only Commissioner Vacek casting a dissenting ballot, the County Commissioners court denied the request of Galveston Negro citizens, made through the Diplomat Club, for permission to use the county owned and operated park at League City.

Representatives of the Diplomat Club asserted that "Negro tax-paying citizens should have the right to make use of public facilities, on the same terms as white citizens. Appearing for the club were James Roberson, Charles Scott, Donald Evans, and Paul Zigler.

While the Diplomat club representatives indicated that they were not raising any "civil rights" issue at this time, there is already discussion of the unfairness of requiring Negro tax-payers to go into the Federal courts to get their rights under the Constitution of the United States. Nobody denied the fact that the decisions of the Supreme Court of the United States on golf courses and other public facilities apply with equal force to public parks.

Segregation spokesmen told the commissioners that "people are residing next to the park and have some very expensive homes there, and they object to the idea of Negroes using the park."

Houston Desegregates Rest Rooms In County Building

Atlanta Daily World
Call North Pa.
HOUSTON, Texas (ANP)—Desegregation came last week to public rest rooms in the Harris County Courthouse and the Civil Court Building. The 17 public rest rooms for "White" and "Colored" were quickly replaced. The new signs say simply "Men" and "Women." County Commissioner E. A. (Squatty) Lyons said he instructed Building Superintendent Grady Albert to remove color barriers from the rest room doors.

"But I didn't think he'd do it so fast," Lyons commented.

He said the County Commissioners Court agreed to take down the segregation signs on the rest rooms on the advice of Atty. Jack Binion, who represents the county in a federal court lawsuit involving proposed desegregation of the county's Sylvan Beach Park.

"People were ignoring those signs anyway," Lyons added.

In lowering the racial barrier a notch, the county joined with the federal government as far as restrictions on use of public rest rooms is concerned.

Take White Boy From Negro Maid

Chicago Defender
Chicago, Ill.
SAN FRANCISCO (UPI)—

A 19-month-old white boy, involved in an interstate welfare tangle because his mother let him stay with her Negro maid in a Texas tenant farmer's cabin, returned home to San Francisco Saturday night to the arms of a San Francisco welfare worker.

The boy, David Lee West, arrived with a Texas welfare nurse, Mrs. Mary Elizabeth Power. He was greeted by Mrs. Jane McKaskle, the area director of the San Francisco Welfare Council.

The boy's mother was not present at San Francisco International Airport. Mrs. McKaskle said she had spent the night in a boarding home and would be returned to his mother if results of a physical examination showed he was in good health.

Texas authorities had taken custody of the boy at Carthage, Texas, last Monday and refused to return him to his mother, Mrs. Edna West, who flew to Texas from her San Francisco night club job in an effort to persuade District Judge Ward Chandler she was a fit mother. In Texas, re-

Texas 'Violation'

Chicago Defender



CALIF. ATTY. GEN. Stanley Mosk appealed to Gov. Price Daniels of Texas to assist in return of 19-month-old white boy who was taken into custody in Carthage, Tex., because he was in care of a Negro woman. The woman, Mrs. Eunella Sims, family maid of

Mrs. Edna West of San Francisco, was given notarized permission by the mother to take the boy with her on vacation. Texas law forbids a white child to live in a Negro home. Shown here are the maid and the youngster, David Lee West. (UPI Tele-

Seating law under fire

The Afro
Baltimore, Md.
ARLINGTON, Va. — The constitutionality of a Virginia law requiring segregated seating at public gatherings faced its third test in as many years Monday when Arlington Circuit Judge Walter T. McCarthy accepted under advisement a case filed by the Community Council for Social Progress.

38a
The council, a bi-racial organization with about 100 members in Northern Virginia, filed suit because it was not allowed to use an auditorium in Washington-Lee High School for a public meeting.

During the day-long hearing Monday it was disclosed that the council's use permit was revoked by the school board when the organization refused to provide separate seating for white and colored.

TWO PREVIOUS attempts have been made to have the law declared unconstitutional. In 1957, the statute was upheld by Circuit Court Judge Emery N. Hosmer in the case of Miss Faith Bissell, a white woman who refused to move from the colored section during a political rally. The State Supreme Court later voided Judge Hosmer's ruling on technical grounds.

The following year, Judge McCarthy declared the law unconstitutional in the case of Miss Marjorie Taylor, who sat in the white section at another political meeting. This case was not appealed.

A Federal court in Richmond recently withheld a ruling on the 34-year-old seating law, preferring that its constitutionality be determined by state courts first.

Petersburg (Va.) Nearly Lily-White

All-American City One of Most Biased

38a
By ERNEST SHAW

PETERSBURG, Va. — The city of Petersburg, once voted the "All-American City" by a national magazine, is one of the most segregated cities in the world.

• Though the police department is understaffed, the city has refused to employ colored policemen.

• The fire department is lily white. There are no colored employees in the city hall. The public library is segregated. Downtown lunch counters refuse to serve colored patrons, despite demonstrations that have been under way since Feb. 23.

In an effort to bring democracy to the "All-American City," colored residents are staging a non-violence campaign, which includes increasing the vote; selective buying, and enlarging the membership of the NAACP.

THE CITY'S problems were aired at a mass meeting, May 18, when the Rev. Ralph D. Abernathy, civil rights leader, Montgomery, Ala., was the principal speaker.

With a total population of 38,500, as of 1955, Petersburg has 18,000 colored residents. In a recent election, the Rev. Milton A. Reid, Negro candidate for city council, polled a total of 1,200 votes.

The failure of Negro citizens to qualify and vote in large numbers is responsible, largely, for their present plight.

Want Cemeteries Desegregated In Portsmouth

PORTSMOUTH, Va. — (ANP) — Applications by 10 Negroes to buy lots in city-owned cemeteries were rejected last week by Superintendent of Cemeteries T. D. Smith.

The group plans to seek a conference with City Council.

Smith said the sales would violate the City code, which provides for lot sales to "any white person" making proper application.

Dr. James H. Holley III, a dentist, and one of the leaders of the group, said a registered letter will be sent to the Council conference.

"We would like to settle the matter on an amicable basis," Holley said. "If the council is unwilling to permit sale of cemetery lots on a non-discriminatory basis we will have no other course except to see an attorney."

Dr. Hugo A. Owens, also a dentist, was in the group that applied for lots. Four years ago, Owens was leader of a group that petitioned the City Council to open all city-owned cemeteries on a non-discriminatory basis, or provide a cemetery for Negroes.

He said that "nothing ever came of it."

Bi-Racial Seating Suit Is Dismissed On Technicality

Judge Says Council Lacks Legal Standing to Raise Issue

38a
By Susanna McBee
Staff Reporter

Another effort to test the constitutionality of Virginia's law requiring segregated seating at public meetings failed yesterday.

Because of a technicality, Arlington Circuit Judge Walter T. McCarthy dismissed a suit filed by the bi-racial Community Council for Social Progress against the County School Board.

The Council sued after it was not allowed to meet at Washington-Lee High School until the Virginia Supreme Court of Appeals of the United States Supreme Court has had a chance to rule on the law.

Judge McCarthy, who has ruled in a previous case the 1926 segregated seating law held a ruling on a Norfolk is unconstitutional, said the segregated seating case pending before the Court to raise the (constitutionality) question for its members.

Personal Rights

He indicated that individuals rather than organizations should raise the question by noting that the School Board had contended the constitutional rights are "personal rights not guaranteed to an organization like the Council."

McCarthy also referred to the Board's argument that the question is moot since the 1958 meeting date "has long since passed."

"The question then arises as to whether this complaint has any pocketbook interest in this matter," the Judge said.

David Carliner, representing the Council, said he would ap-

peal the opinion that the organization has no right to sue over the constitutional privileges of its members.

Waiting for Ruling

James H. Simmonds, attorney for the School Board said the Board would continue its policy of requiring segregated seating at public meetings until the Virginia Supreme Court of Appeals of the United States Supreme Court has had a chance to rule on the law.

Simmonds noted that a 3-judge Federal Court has with- 1926 segregated seating law held a ruling on a Norfolk is unconstitutional, said the segregated seating case pending before the Court to raise the (constitutionality) question for its members.

In 1957, Arlington Circuit Court Judge Emery N. Hosmer upheld the statute in the case of Faith Bissell, a white woman who sat in a Negro section at a political rally. Hosmer's decision was voided by the State Supreme Court on technical grounds.

Declared Unconstitutional

In 1958, Judge McCarthy declared the law unconstitutional in the case of Marjorie Taylor, a Negro woman who sat in the white section at another political meeting. The case was not appealed.

Judge McCarthy's decision has been disregarded by the School Board on grounds that

the seating law is valid until it is thrown out by a higher court.

However, enforcement of the law in Northern Virginia has been irregular. Negroes have been allowed to attend county recreational programs with whites in Bon Air Park in Arlington, and the annual county-wide conventions of the Arlingtonians For a Better County nonpartisan coalition are desegregated.

Also, Negroes were not required to sit separately at the recent Alexandria rally for Democratic presidential candidate John F. Kennedy.

Citizens sue to *Afro-American* mix cemeteries *Baltimore Md.*

NORFOLK — (ANP) Eleven colored persons last week asked U.S. Dist. Court here to order integration of Portsmouth's three city-owned cemeteries.

In a civil suit, the plaintiffs seek:

Set. 8-27-60
A preliminary and a permanent injunction to restrain the city from continuing the "degrading practice of excluding colored people from use of the public cemeteries." Two million dollars in "compensatory and punitive damages."

The plaintiffs ask for an end to "racial discrimination in the use and enjoyment of the cemetery facilities . . . in order that there may eventually be integration of the citizens of Portsmouth from the cradle to the grave."

* * *
THE PLAINTIFFS state that on Aug. 4, 1960, they applied for the purchase of burial lots "and were denied on the grounds that colored citizens are not allowed to buy or use said lots."

"More than \$60,000 annually is expended from the city coffers for the operation of the cemeteries," the plaintiffs claimed.

Named defendants are the City of Portsmouth, Mayor R. Irvine (spelled "Irvin" in the suit papers) Smith and T. D. Smith, superintendent of Portsmouth cemeteries.

Plaintiffs are listed as C. H. Smith, James W. Holley III, Mrs. Dannie M. Hester, Mrs. Vyvian Pritchette, Percy L. Artis, Oscar Scott, Mrs. Samuel Shuler, Emerson R. Smith, U.G. Wilson, Hugo Owens and John T. Fisher.

The papers were signed by Norfolk attorney Joe Jordan. Other attorneys listed are Ed Dawley, Len Holt, both of Norfolk, and Hank Jones of Washington, D.C.

Portsmouth Bars Negroes' Offer For Burial Lots

PORTSMOUTH, Va., Aug. 8 (AP)—A bid by Portsmouth Negroes to buy lots in a city-owned cemetery has been rejected by city officials.

T. D. Smith, superintendent of cemeteries, said the city code provides that cemetery lots shall be sold to "any white person" who makes proper application.

Ten Negroes tried yesterday to buy lots in city-owned cemeteries but were rejected by Mr. Smith.

Dr. James A. Holley III, a leader of the Negro group, said a conference would be sought on the issue with the Portsmouth City Council and that if the matter could not be settled on an amicable basis, the group would go to court.

Segregation of Burials Target

NORFOLK, Va. (AP)—U.S.

district court has been asked here for an injunction restraining the neighboring city of Portsmouth from segregating its city-owned cemeteries.

Eleven Portsmouth Negroes said in their suit that the injunction is necessary "in order that there may eventually be integration of the citizens of Portsmouth from the cradle to the grave."

The suit states that on Aug. 4, the plaintiffs applied for burial rights in Portsmouth cemeteries but were "denied on grounds that Negro citizens are not allowed to buy or use lots."

This, the suit contends, is in violation of the 14th amendment's equal protection and due process clauses.

In addition to a declaratory judgment and an injunction, the suit asks for two million dollars, exclusive of cost and interests, "to cover both compensatory and punitive damages."

The suit states Portsmouth has three cemeteries, all segregated and all reserved for white people on which it expends

public funds in excess of \$60,000 annually.

Negroes have two cemeteries in Portsmouth, both privately operated.

Cemetery 'Mixing' Demanded

CRADLE TO GRAVE

Integration Sought

NORFOLK, Va. — (AP) — Negroes seeking "cradle to the grave" integration in nearby Portsmouth have asked Federal Judge Walter E. Hoffman to order the desegregation of city-owned cemeteries.

The injunction plea was entered in District Court only eight days after the 11 Negro plaintiffs sought to obtain burial rights in the cemeteries and were refused.

Portsmouth owns and operates three cemeteries, all reserved for white people. The city has two Negro cemeteries, both privately owned.

The suit contends that Portsmouth should be enjoined from discriminating against Negroes in the "use and enjoyment" of the city-owned cemeteries "in order that there may eventually be integration of the citizens of Portsmouth from the cradle to the grave."

The 11 Negroes also seek compensatory and punitive damages of two million dollars, exclusive of costs.

Segregation of the cemeteries is a "degrading practice," the suit alleges, and violates the equal protection and due process clauses of the 14th Amendment.

The Negro plaintiffs said they applied for burial rights in the city-owned cemeteries Aug. 4 but were "denied on grounds that Negro citizens are not allowed to buy or use lots."

Public funds of more than \$60,000 yearly are expended by the city in maintaining and

operating the cemeteries, the suit claims.

City Halts Cemetery Lot Sale To Fight Negro Court Suit

PORTSMOUTH, Va. (AP)

—Faced with a court suit seeking the right for Negroes to purchase lots in three all-white cemeteries, Portsmouth is going out of the cemetery business.

The suit, filed in U.S. District Court by 11 Negroes, was answered by the city.

Before filing the answer, city council in emergency action repealed the city code section dealing with cemetery lot sales.

The ordinance also stated that all lots in Cedar Grove and Oak Grove cemeteries "have heretofore been sold."

It added that unsold lots in Olive Branch cemetery cannot be sold. They are not usable "by virtue of being swampy, low, within rights of way of water mains, and of irregular and inadequate size," the ordinance said.

City Manager Aubrey P. Johnson Jr. said the city will continue to maintain graves but will acquire no more lots or cemeteries.

The Negroes suit charged that denial of the right to purchase lots violated the "equal protection and due process clauses" of the U.S. Constitution.

The suit is the second in recent months for integration of white cemeteries. Hopewell city council agreed Aug. 23 to sell that city's Appomattox cemetery.

Last April, after Negroes had sought integration of a city-owned swimming pool, the Hopewell council sold it.

Negroes stone Virginia whites over playground

ROANOKE, Va., Sept. 7—(AP)

Three white youths and the mother of one were injured last night, police said, when they were stoned

by three Negroes in an argument over use of a basketball court.

Police said tension had been building up for some time over use of the court, located in an area where white and Negro sections come together. Officers said the violence broke out after the Negroes were chased away from the court last night.

As Mrs. Ethel Foley, 41, her 12-year-old son, Albert Wayne Foley, and two other youngsters were returning from a grocery store, police said, they were attacked with rocks and bricks by the Negroes, who escaped.

The Foley youth required four stitches for wounds on the head while Mrs. Foley was treated for bruises on both legs. The other two white boys were hit but escaped serious injury.

Report From South:

Suit halts city grave selling

PORTSMOUTH, Va. — Faced with a court suit seeking the right of colored residents to purchase lots in three cemeteries for white persons, Portsmouth decided last week to bow out of the cemetery business.

The city responded Tuesday to a suit filed by 11 colored residents of Portsmouth who charge that denial of the right to purchase lots in three cemeteries owned and operated

by the city violated the "equal protection and due process clauses" of the U.S. Constitution.

Before filing the answer, however, the City Council in emergency action repealed the code section dealing with cemetery lots and sales.

THE REPEAL ordinance also stated that all lots in Cedar Grove and Oak Grove cemeteries "have heretofore been sold," and that unsold lots in Olive Branch Cemetery cannot be sold.

The Olive Branch Cemetery lots, according to the ordinance, are not usable "by virtue of being swampy, low, within rights of way of water mains, and of irregular and inadequate size."

City Manager Aubrey P. Johnson Jr. said the city will continue to maintain graves, but will acquire no more lots or cemeteries.

Segregation At Concert

Is Protested

ROANOKE, Va., Oct. 19 (AP)

—The parents of a Negro child barred from a symphony concert in Roanoke Monday said today they will "file a protest through our attorney with the School Board."

Mrs. George Long, the mother of one of three Negro students in city desegregated schools barred from the Roanoke Symphony Orchestra concert, says she will file the protest "immediately."

Her daughter, 12-year-old Cecilia, is one of two Monroe Junior High School seventh graders who were not permitted to accompany white classmates to the concert at the American Theater.

Mrs. Long termed the barring "ridiculous and inhuman."

She says another child, a sixth-grader at West End Elementary, was also forced to stay behind while other children went to the annual event. Hundreds of children were transported by bus from their schools to the concert.

Each child paid for his ride.

Roanoke has nine Negro children in formerly white schools.

"The school (Monroe) went so far as to accept my daughter's 25 cents admission fee," Mrs. Long said today. "Then at the last moment, the admission fee was refunded. She was told she would not be able to attend because it was not a school project . . . that the concert was being given by a private organization."

J. P. Cruickshank, School Board chairman, said today that the concert "was not school sponsored. We encourage the kids to go . . . the school board didn't set up the restrictions."

He added: "If there are legal aspects to this, we look to our lawyer for legal advice and guidance."

Another school spokesman said "there was a question . . . of depriving all (white) children . . . for the sake of the others (Negro students). The American Theater is not integrated."

A Virginia law forbids mixing of whites and Negroes at public gatherings. Certain government-owned facilities supported by taxes of both races are exempt from this rule.

Virginia-Maryland Briefs

Attorneys Ask Judges To Desegregate Court

THURSDAY, Oct. 19 (AP)

Judges of three of the City's Lower Courts agreed yesterday to consider a request for an end to segregated seating in their courtrooms.

Two lawyers representing the Old Dominion Bar Association, a Negro group, made the request in a 30-minute meeting with Judges Carleton E. Jewett of Traffic Court and Police Court Part II and Harold C. Maurice of Police Court.

The attorneys, Herman T. Benn and L. D. Walker, asked for the meeting after members of the Bar Association decided they were dissatisfied with the Courts' seating arrangements.

The two Judges issued a statement saying "the presiding Judges of these Courts informed the Association's committee that they would consider the request."

The segregated seating practice has not been challenged, veteran observers recalled, since 1950.

VIRGINIA BRIEFS

3 Negroes Sue Court On Seating

THURSDAY, Oct. 21 (AP)

Three Petersburg Negroes have filed suit in United States district court here seeking racial desegregation of seating in Petersburg's municipal court.

The suit asks a declaratory judgment and an injunction restraining Judge Herbert B. Gilliam and other court officials from continuing segregated seating in municipal court.

The three plaintiffs filing the suit Rev. R. G. Williams, Rev. Milton A. Reid and George Wells, also ask damages of \$130,000 each.

Judge Asks Ban On Negroes' Suit Against Court

THURSDAY, Nov. 5 (AP)

A Petersburg Municipal court judge asked the United States District Court here yesterday to dismiss a suit filed against him which sought desegregation of seating in his courtroom.

Judge Herbert B. Gilliam in a motion for dismissal said a jurist cannot be sued or held accountable for damages resulting from his judicial actions; claimed immunity from a suit seeking to impose civil liability with respect to his judicial actions, and contended the Federal Court in its discretion should not entertain an action in what he called a matter affecting internal operation of a court of the Commonwealth.

Three Petersburg Negroes filed the suit and asked an injunction forbidding continued segregation of seating in Judge Gilliam's court and damages of \$130,000.04 each.

Federal Court Rejects Segregated Seating Suit

NORFOLK, Va., Jan. 12 (AP)—A three-judge Federal court ruled today that a suit brought to end segregated seating of the races in public places should be heard first in a state court.

The suit was filed by three Negroes who complained of segregated seating at a sports event in the city arena in December, 1958. The suit asked the three-judge court to hold segregated seating unconstitutional.

The court said it could not issue an injunction because the plaintiffs had not suffered irreparable damage.

The court said it would delay any proceedings for 60 days to allow the suit to be filed in a state court. Should the suit not be filed in a state court within that period, it will be dismissed by the Federal tribunal.

Should the state court not determine the constitutionality of the segregated seating laws, the Federal court will take up the case once more. But should the state court hand down a decision, the Negroes must exhaust all state court remedies before the Federal court would consider the case.

CORE pickets Norfolk store

NORFOLK, Va. — Nightly picket lines by Norfolk Committee of Racial Equality are increasing the pressure to end discriminatory hiring practices at the Be-Lo Grocery Store here.

Negotiations to effect a fair and democratic hiring policy began more than three years ago. Six months ago a store representative told CORE that he would "give the matter consideration."

brought any, during and the CORE group began picketing on Dec. 21.

EACH EVENING since, interracial teams of CORE members have picketed the store and passed out explanatory leaflets to shoppers. Also a car pool is being provided by CORE for those shoppers who decide to buy elsewhere.

During the hours when the picket line is operating the vast majority of the customers have turned away from the Be-Lo and bought their groceries at other stores.

Interracial Pickets Injoined By Court For Super Mkt. Visit

Norfolk, January 26 (AP)—Virginia Circuit Judge Clyde H. Jacob enjoined seven members of Norfolk CORE from picketing the Be-Lo Super Market. The injunction is effective only until March 20, 1960.

The CORE group had been picketing daily since December 21 to end discrimination against hiring Negroes. CORE had also provided a car pool so that those who wished to shop in a store with a more democratic hiring policy could do so.

One leaflet passed out to patrons by CORE says: "Insist that Be-Lo Super Market employ Negroes in higher paying jobs . . . Please do your part to bring about a change. The storekeeper may be a 'nice fellow' and ever so courteous but the Negro needs more jobs and better paying jobs."

The Norfolk CORE picket line has been interracial. The injunction named both white and Negro picketers.

Sale of Pool Called Void

RICHMOND, Va. (AP)—The sale of a city-owned swimming pool in Greensboro, N. C., to a private corporation to avoid integration was attacked as void by attorneys representing the NAACP here.

The NAACP contended in a hearing in Federal Court here that the sale was void since the private corporation which bought the pool had as director Dr. R. M. Taliaferro, a member of the Greensboro City Parks and Recreation Commission.

The city argued, however, that the sale was legal and valid because Taliaferro was not a city official, since the 11-member commission is purely an advisory group.

NEGROES LOSE FIGHT TO BAR SALE OF POOL

RICHMOND, Va., March 14 (AP)—The sale of a municipal swimming pool by the city of Greensboro, N. C., to private owners to avoid racial integration "does not constitute state action or conduct" that a Federal court may prohibit, the Fourth Federal Circuit Court of Appeals said today.

The appellate court upheld the Greensboro Federal District Court in a suit brought by Negro residents of Greensboro to block the sale.

After demands by Negro residents for admission to the municipal swimming pool used only by whites, the City Council of Greensboro decided to close and sell the pool.

In the District Court, Judge Edwin M. Stanley held that the complainants had failed to prove that "the sale was not bona fide, or that the city of Greensboro has any agreement of any kind with the Greensboro Pool Corporation relating to the future ownership, use or operation of the pool."

The appeals court said that, on examination of the record, it could not say that this finding was "clearly erroneous," and added:

"It it should appear at any time hereafter that the city openly or secretly assists in the operation of this racially restricted pool, the plaintiffs

would be entitled to an injunction."

Sale Of Pool By City Upheld By U. S. Court

RICHMOND, Va. (AP)—Sale of a municipal swimming pool by the city of Greensboro, N. C., to private owners to avoid racial integration "does not constitute state action or conduct" which a federal court may prohibit, the U. S. 4th Circuit Court of Appeals said Monday.

The appellate court upheld the Greensboro Federal District Court in a suit brought by Negro residents of Greensboro.

After demands by Negro residents for admission to the municipal swimming pool used only by whites, the City Council of Greensboro decided to close and sell the pool.

Negro citizens brought action in the federal court to block the sale. However, District Judge Edwin M. Stanley held that the complainants had failed to prove "the sale was not bona fide, or that the city of Greensboro has any agreement of any kind with the Greensboro Pool Corp. relating to the future ownership, use or operation of the pool."

The appeals court said on examination of the record it could not say that this finding is "clearly erroneous," and added:

"If it should appear at any time hereafter that the city openly or secretly assists in the operation of this racially restricted pool, by any form of subvention or other favorable treatment, the plaintiffs would be entitled to an injunction."

In the suit the Negro plaintiffs alleged Dr. R. M. Taliaferro, who was instrumental in organizing the corporation which bought the pool, was a city official. The court noted he was a member of a nine-man Parks and Recreation Commission which serves in an advisory capacity only, legal authority being vested in the City Council of which he was not a member.

Va. State Senator Wants Blood to be Designated by Race

RICHMOND (AP)—A Virginia State Senator has offered a bill that would require the labeling (by race) of blood given by donors to be used in transfusions.

Sen. Charles T. Moses, Dem., Appomattox, who offered the bill with the support of five others, wants the blood containers to be marked "caucasian," "negroid," "mongoloid" or some other such designation.

Violators would be subject to a maximum penalty of \$100 and or 30 days in jail.

After Sit-Down Journals and Guide Parks Closed, Crosses Burn In Danville

DANVILLE, Va. — The NAACP will ask for a court order to enjoin the city from denying use of its public library to Negro citizens. This action was agreed upon when City Council in a special meeting last Monday closed the library and all city parks after 17 high school students entered them on April 2, and then reopened the library to holders of library cards only. The parks remain closed.

Crosses were burned last Saturday night in front of Loyal Baptist Church and the home of its pastor, Rev. Doyle J. Thomas, on the eve of a scheduled NAACP mass meeting at the church on Sunday. Eyewitnesses have furnished police with the license number of the car in which the men who lighted the crosses were riding. As late as Monday afternoon, however, no arrests had been made, and police had not listed the incident as a complaint.

THE NAMES and addresses of the students who used the city park were taken by po-

lice. These were published on the front page of a local daily paper on Sunday.

Attorneys seeking the injunction for the NAACP are: J. L. Williams and Andrew C. Muse, and the law firm of Harvey and Wood.

The youths involved are all students at John M. Langston High school here. Among them are several World War II veterans.

Staged Sit-Downs

Two Howard Students Are

Arrested In Arlington

Judge Defers Decision

On Segregated Seating

Case Under Advisement After Hearing On Denial of Integrated Meeting

ARLINGTON, Va. — Two Howard University students were arrested Friday for staging sit-down demonstrations at a Howard Johnson's restaurant on Lee Highway.

Laurence Henry, 25, and Dion Diamond, 18, were arrested and charged with trespassing. The manager of the restaurant summoned police after Henry and Diamond sat down at the counter and asked to be served.

EARLIER IN the day, Henry was stopped by police while driving his car on Lee highway and asked to show his driver's license. Police arrested Henry, saying his permit was valid for operation of a car only when Henry was wearing glasses. He did not have them on at the time. Henry told police he had broken the frames and was released on \$30 collateral.

Other demonstrations on Friday led to the shutting down of lunch counters at three drug stores, two of which had closed their counters when the demonstrations appeared Thursday.

No arrests were made at the drug stores. Police said at one of them, the manager broke up a near fist fight between George Lincoln Rockwell, leader of the American Nazi party, and the store's colored porter.

Arlington Circuit Judge Walter T. McCarthy, who held Virginia's segregated seating law unconstitutional two years ago, deferred ruling yesterday on another test of the law.

Judge McCarthy took the case under advisement at the end of a day-long hearing on a suit brought by the Community Council for Social Progress against the Arlington School Board.

The latest attack on the 1926 law was brought by the council after the school board denied the group permission to hold an integrated meeting at Washington-Lee High School in April, 1958.

Malcolm Smith, former president of the council, told the court the request for school facilities was made partly in order to test the law.

School Board Member James G. Stockard, who was chairman in 1958, said the board had rejected the request because it did not want to become a party to violation of the law. The board also felt, he said, that in the tense atmosphere of the 1958 desegregation crisis, the meeting might have resulted in disorder and damage to public property. David Carliner, attorney for the council, said the segregated seating law violated both the Virginia and United States Constitutions and should be declared void.

He asked the court to throw out the law and issue an injunction prohibiting the school board from denying use of the school to the council in the future.

School Board Attorney James M. Simmonds replied that denial of constitutional rights must be challenged by "individuals deprived of their rights," not by organizations.

Conflicting Decisions

The school board, he said, was faced with conflicting decisions from two Arlington Circuit Court judges. Since the law has not been repealed or declared unconstitutional by the Virginia or United States Supreme Courts, the board feels it should abide by it, he said.

The law was held unconstitutional by Judge McCarthy in 1958 in a case involving a Negro woman who sat in a white section at a political candidates meeting.

The year before, Circuit Judge Emery N. Hosmer held the law constitutional and upheld the conviction of a white woman who sat by a Negro at another political meeting. The case was appealed to the Virginia Supreme Court of Appeals which threw it out because the warrant had not specified the woman's race.

A three-judge Federal Court last year heard arguments on the constitutionality of the law but withheld its ruling until the legislation had been tested in State courts.

Sitdown Comes To N. Virginia

By Susanna McBea and Elsie Carper
Staff Reporters

Sit down demonstrations by Negro college students spread to Northern Virginia yesterday.

Seven Negroes and six whites staged demonstrations at the Peoples Drug Store at Lee hwy. and Old Dominion dr., and at the Drug Fair, 3815 Lee hwy. Both stores are in Arlington.

No arrests were made. Police were stationed in both stores to preserve order. Store managers did not ask the Negroes to leave. Under Virginia's trespass laws arrests can be made only if the management prefers charges.

Milton L. Elsberg, president of the Drug Fair, said the chain has no overall policy on the serving of Negroes at counters. They are served at stores in Washington and suburban Maryland.

Elsberg said there is some question about Virginia laws dealing with the serving of whites and Negroes in the same establishment and there will be no decision until the question is clarified. R. D. Gibbs, secretary and spokesman for Peoples could not be reached for comment.

Demonstrators Carry Books
Virginia has a law prohibiting the assembly of whites and Negroes in public meetings but has no law prohibiting serving of whites and Negroes in the same eating establishments. The demonstrators, neatly dressed and orderly, carried books. One student read out loud the Sermon on the Mount from the Bible. The Negro students were from Howard University and the white students from Howard, Duke, Columbia and other universities.

Charles Cobb, 40, 6347 North Washington blvd., Arlington, a member of The Congress of

troopers. Adults also gathered and a firecracker was thrown. Police from the juvenile squad asked the high school and junior high school students to leave.

David Hartsough, 20, a white student from Howard, said that the college students had staged the demonstrations on their own initiative.

"We are willing to sit all day and even go to prison to show people we do not want to let discrimination continue," he said.

Hartsough would not say whether the demonstrators would be back today. Drug Fair manager Robert Laliberty said he would take the day "as it comes."

BOYCOTTS CHALLENGED Effectiveness of Student Strikes in South Doubtful

ROANOKE, Va. (RNS)—Negro boycotts of stores operating "for whites only" lunch counters have negligible effect in communities where the percentage of Negro residents is small, Dr. Liston Pope, dean of Yale Divinity School, said here.

He told the Roanoke Ministers Conference that the effectiveness of "passive resistance" to racial segregation and sit-down lunch counter strikes was dependent on the power of Negroes in the community.

"I think it is wrong for Dr. Martin Luther King to assume that because his bus boycott worked in Montgomery, Ala., that it is the answer everywhere," he said.

Dr. Pope said a church should not press for integration merely to be able to call itself a racially tolerant church. Clergy should "appeal to the moral heritage of the American people" and cite Christian ideals to change segregationist attitudes, he said.

Swastika Arm Bands

They remained seated when refused service. The counter was closed.

Two troopers in uniform from George Lincoln Rockwell's anti-Jewish American Nazi Party appeared and walked up and down behind the counter where the demonstrators were seated. They wore swastika arm bands and carried placards. One of the signs said "The Head of the NAACP is a Jew." The students sat quietly by, one reading from Goethe.

When classes let out from Stratford Junior High and Washington and Lee High Schools, a group of about 50 students gathered in the store and heckled both the sit down demonstrators and the storm

Students Cheered

1,000 Hampton Citizens Back Peaceful Protests

Journal and Guide
Hampton, Va.
Sat. 3-19-60
HAMPTON, Va. — In a speech that ended with a standing ovation from an audience of approximately 1,500, Kennell A. Jackson, a leader of the Hampton Institute sit-down demonstrators, declared that "jails will not stop us; we will fill every jail for our rights!"

The speech was one of eight made at a Hampton-Phoebus NAACP mass meeting Sunday at King Street First Baptist Church, Hampton.

The large audience, many of whom were unable to get into the main auditorium and had to listen to speakers set up in the lobbies and in the basement of the church, approved by voice vote resolution read by Mr. Moses which pledged "complete approval of all peaceful means used to attain equality of opportunity and treatment of all citizens of America."

THE RESOLUTION further stated that the demonstrations "rather than being instigated, guided or led by forces outside the South, are inspired by a deep yearning on the part of the Southern Negro to be accepted on a plane of equal dignity in the enjoyment of the freedom of association, movement and being."

William H. Moses, president of the local NAACP chapter, said that Hampton mayor, George C. Bentley, City Manager Clarence E. Johnson and Chief of Police L. H. Nicholson had been invited to attend the meeting. Bentley and Johnson had replied and read their letters.

THE LETTERS from both officials stated that they

doubted if anything of value would come out of a public meeting towards solving the problem. Both stated, however, that they would be available in their offices to discuss the problem.

W. Hale Thompson, Newport News attorney, voiced the feeling of the crowd when he stated that he applauded the sit-down demonstrations of the Hampton students and that adults are obligated to give financial and moral support to the movement.

Declaring that between 18 and 20 billion dollars are spent yearly by Negroes, Mr. Thompson advocated that this fact be used as a "weapon" in connection with passive resistance.

IN DISCUSSING the segregation practices in America, Mr. Thompson drew cheers when he stated, "when bombs fall on America they will not discriminate between Negroes and whites."

Mrs. Jane Vaulkhausen, a representative of the Hampton League of Women voters, in a short but pointed speech stated that the segregation policies of lunch counters "does not make sense" when Negroes can buy elsewhere in a store but can not sit down to eat. Mrs. Vaulkhausen was one of approximately 20 white citizens attending the meeting.

The Rev. James E. Thomas, pastor of the host church, declared that this past summer he had visited the Rev. Martin Luther King in Montgomery, Ala., and was convinced by him that passive resistance is the most effective weapon to use in fighting racial discrimination. Rev. Mr. Thomas called upon full participation in American society by Negroes and added that it was not a question of Negro or white but, of "justice and injustice, of light and darkness."

Miss Shirley Caldwell, another Hampton Institute student, stated that for six days when she was engaged in sit-downs in Hampton stores, she conducted a survey among white patrons at lunch counters in an effort to determine their views on segregations. Of those polled, she stated, 60.2 per cent of them had no objections of eating with Negroes, 33.7 per cent refused to comment on the matter and only 6.1 per cent stated flatly that they objected to eating at the same counter with colored people.

Miss Caldwell, added, "while we were engaged in sit-downs at lunch counters, white people sat beside us and ate without any concern. This to me would indicate that the majority of them would feel no effect if Negroes were served also."

Other speakers were, Lawrence P. Barbour, representing the Citizens Organization; Mrs. M. Barbee Boone, representative of the Pan-Hellenic Council and Charles C. Wilson, speaking for the Fraternal Societies.

MR. MOSES stated, while a collection was being taken that all money received would be used to aid any student or other persons who are arrested during demonstrations. A total of \$406 was collected.

King Terms Integration 'Unstoppable'

RICHMOND, Va. (AP) — The leader of Alabama's bus boycott told Virginia Negroes here Friday that "attempting to resist integration today is like standing against a tidal wave. It is an unstoppable movement."

The Rev. Martin Luther King said Negroes are saying to white segregationists, in effect, "We will wear you down by our capacity to suffer, and in the process we will win your hearts."

King addressed a New Year's Day "Pilgrimage of Prayer," a religious rally of protest against the closing of Prince Edward County public schools.

Some 2,500 Negroes and a handful of whites listened responsively in Richmond's cavernous Mosque Auditorium. Later, about 1,500 were led by the Alabama-born Negro leader on a 17-block march to the State Capitol.

There on the steps of the one-time Capitol of the Confederacy they approved a resolution asking the General Assembly to repeal Virginia's freedom of choice school legislation and the State Pupil Placement Act. The laws were designed to hold school integration to the barest minimum.

The Negroes also asked the Legislature to give Gov. J. Lindsay Almond Jr. emergency authority to reopen Prince Edward County's public schools.

"Nothing is more sublime than suffering and sacrifice for a great cause," King said of the Negroes of Prince Edward who have no schools. A private organization has provided schooling for white children of the county.

"I do hope that citizens in that community will not accept the offer of private schools for Negroes. I hope they won't sell their birthright of freedom for a mess of segregated pottage," King said.

White citizens of Prince Edward are organizing a private school group of Negroes, modeled along the lines of the private white schools.

The Negro, King said, "has a new sense of destiny to struggle,

sacrifice and even die. We stand on the threshold of the most constructive period in the nation's history in race relations. We stand on the border of the promised land of integration."

Shows Mother Love Goes Beyond Birth And Race

Chicago Defender
Chicago, Illinois

A social worker felt it would not succeed. Her friends thought there might be some community reaction. But in the 16 years that Ann Johnston and her husband have been "parents" of a Negro girl, Mrs. Johnston has discovered that "mother love can go beyond birth and race and the usual circumstances . . . because mine does."

White parents of a Negro daughter whom they adopted when she was nine, the Johnstons live in Kent, Wash., a community where there are few non-whites. Ever since they first began taking foster children into their home, they have had a number of non-whites—Eskimos, Indian, Chinese and Mexican.

But when they decided to adopt Patty, new difficulties beset them.

In the May issue of EBONY Magazine, Mrs. Johnston deals frankly with her experiences of rearing a Negro daughter, tells how she handled the legal and personal problems which arose and describes how she deals with people who think she has made a mistake.

"Years ago," she says, "we identified ourselves with those who face discrimination; but we cannot fully share it. We are free to walk away whenever we choose." But after having Patty in her home for nearly 17 years and choosing to adopt her instead of youngsters whose racial background would have posed no problem, Mrs. Johnston declares simply: "She is my child, by law and by the love I have for her."

CORE pickets W.Va. YMCA that refuses to admit all the Afro-American Baltimore, Md.

HUNTINGTON, W. Va. — CORE members last picketed Huntington's two YMCA Buildings protesting the refusal to admit colored persons to membership.

CORE leaflet given to passers - by pointed out that: "In 1959 the United Fund contributed \$19,000 to the YMCA —20 percent of its annual budget. Yet, for years, the YMCA has used United Fund money, contributed by the total community for the benefit of only a part of the community."

Mrs. A. Page Simuel, secretary of Huntington CORE, asked concerned citizens to write protest letters to Charles Lauer, YMCA executive secretary. Mr. Lauer told the CORE negotiating team that the refusal to admit colored persons to membership was a policy of the board of directors and that board would meet soon to reconsider its policy.

Mr. Lauer added that the National YMCA's policy is against segregation and it has recommended that local Y's follow this policy. However, Y's make their own decisions. CORE has helped to end discrimination at YMCA's in Brooklyn and Washington, D.C. ,,,,

PICKETING INJUNCTION LIFTED

MILWAUKEE, Wis. (UPI)—A judge has lifted an injunction blocking a Negro group at a parlor accused of discrimination. Judge William F. also refused to issue a permanent injunction against picketing.

The group called the Crusade for Social League. The group picketed the store on this north side last June. Many obtained temporary injunction halting the pick-

ets carried signs in "Negroes help support company. Why not hire discrimination! Negroes support this policy." "This Democracy—? No employed."

Negroes Flay Resort Ban In Wisconsin

MILWAUKEE, May 29 (UPI)—The president of the Madison, Wis., National Association for the Advancement of Colored People said discrimination against Negroes at Wisconsin resorts was "very, very bad."

Odell Taliaferro, Madison, told the Wisconsin state meeting of the NAACP yesterday that it should support legislation proposed by the recent Wisconsin Governor's Conference on Civil Rights to require resort owners to display the Wisconsin statute prohibiting denial of equal rights in public accommodations.

"The way it is now, resort owners complain that they would lose all their white clientele if they allowed Negroes in their resorts," Taliaferro said. "With this statute, the owners could point out to whites who object that they—like all other resort owners—had to follow the law."

Attacks Bias At Wis. Resorts

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The proposed legislation was termed a "good step forward" by State Sen. Kirby Hendee, a candidate for the Republican nomination for 5th district congressman. Hendee, representing a district containing the exclusive non-Negro North Shore suburbs, also backed legislation that would prohibit real estate men from discriminating against Negroes in the sale of homes.

At other proceedings, all officers of the state NAACP were re-elected Saturday.

NAACP REPORTS RESORTS UNFAIR
Asks Non-Discrimination Law in Wisconsin

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5 Birmingham Negroes Seek To Mix Airport Facilities

BIRMINGHAM (AP) — Five Negroes filed suits Monday seeking to integrate the airport limousine and airport restaurant in Birmingham.

They claimed segregation of the facilities amounted to "an undue burden on interstate commerce."

The two suits filed in U.S. District Court here, cited recent instances when Negroes were prohibited from riding in the limousine and were denied service in the restaurant.

The suits also seek \$33,000 damages in each of the two cases.

The suits were filed by the Rev. F. L. Shuttlesworth, the Rev. Charles Billups, L. J. Rodgers and James Armstrong, all of Birmingham, and Len Holt of Norfolk, Va.

Lee Rigsby, president of City Cab Co., which operates the airport limousine, said:

"We try our best to maintain segregation on the limousine but no Negro ever has done without a ride. When we have Negroes who need rides in from the airport, we send a car for them. Sometimes it's my Cadillac."

Thomas L. Grant, assistant manager of Dobbs House, Inc., which operates the airport restaurant, said service is segregated as a matter of practice.

In one suit, Shuttlesworth and Holt contended that Shuttlesworth's daughter Patricia and Holt were not allowed to ride in the airport limousine on Sept. 16.

In the other suit, Shuttlesworth, Holt, Billups, Rodgers and Armstrong contended they were denied service in the airport restaurant Sept. 7.

Both instances, they said, caused "grievous, insulting and irreparable harm."

No hearing date was set.

Greyhound Takes Action Against Driver

BIRMINGHAM, Ala. — The Greyhound bus company has taken disciplinary action against the driver who caused the arrest of three teen-age Negroes on a bus in Gadsden, Ala.

This was learned through letters being sent by Greyhound officials to residents of Alabama who protested to the company about the treatment of the children.

The driver caused the arrest of the Negroes on Aug. 16 because they refused to sit in the rear of a Greyhound bus when traveling from Highlander Folk School, Monteagle, Tenn., to Birmingham.

The trio arrested are children of the Rev. and Mrs. Fred L. Shuttlesworth, Birmingham civil rights leader. The three were found guilty of "delinquency" in Juvenile Court at Gadsden on Sept. 16, but are appealing.

CALLED FOR PROTESTS

Mr. Shuttlesworth is an officer or director of the Southern Christian Leadership Conference and the Southern Conference Educational Fund, both Southwide civil rights organizations. These groups called for protests to the Greyhound.

The company wrote as follows to the Rev. Francis X. Walter, pastor of St. James Episcopal church, Eufaula, Ala., in reply to his protest:

"Greyhound did not initiate prosecution or any action against the Shuttlesworth children. The Greyhound driver operating the bus on which the Shuttlesworth children rode has disciplinary action taken against him for violating our instruc-

tions not to enforce segregation on our buses."

Shuttlesworth's Daughter Sues Birmingham Air Port for Bias in Limousine Service

She Laws Biplander
Des Moines, Iowa
June 9-29-60
Birmingham, Ala. Miss Patricia Ann Shuttlesworth, 17, who recently refused to ride segregated on a Greyhound bus, has filed suit to force Birmingham airport limousines to take Negro passengers.

She asked the U. S. District Court to restrain the limousine owners "from continuing the noxious practice of denying the use of the airport limousine service to Negro persons who use the facilities of the airport in going about their affairs."

Sues Through Father

Miss Shuttlesworth sued through her father, the Rev. Fred L. Shuttlesworth, who filed a suit at the same time to open airport eating facilities to Negroes. Defendant in Mr. Shuttlesworth's suit is Dobbs House, which operates the airport restaurant.

Miss Shuttlesworth said she was refused a ride in the airport limousine after her arrival at the airport on Sept. 16 with her attorney, Len Holt of Norfolk, Va. They were on the way from Atlanta, Ga., to Gadsden, Ala., where she was found guilty of delinquency for defying segregation on the Greyhound. This verdict is being appealed.

Denial

Her suit and that of her father against Dobbs charge that denial of riding and eating facilities is in violation of their rights under the U. S. Constitution, and specifically the Fourteenth Amendment. Each suit seeks \$33,000 in compensatory and punitive damages.

Shuttlesworth was joined in his suit by three other leaders of the Alabama Christian Movement for Human Rights, of which he is president. The others are the Rev. Charles Billups, the Rev. L. J. Rogers, and James Armstrong.

Shuttlesworth, a noted civil-rights leader here, is also secretary of the Southern Christian Leadership Conference and a director of the Southern Conference Educational Fund. Both are Southwide organizations working to end segregation and discrimination.

Negroes Challenge Station Segregation In Birmingham

The Montgomery Advertiser
Montgomery, Ala.
A challenge to segregated waiting rooms at the Birmingham train station was taken under advisement by the U.S. Fifth Circuit Court of Appeals here Tuesday. *Wed. 10-5-60*

Two Birmingham Negroes, Carl and Alexinia Baldwin, were appealing the decision of U.S. District Judge Seabourn Lynne, who turned down their plea for an injunction against Birmingham city commissioners, the Alabama Public Service Commission, the State of Alabama, and the terminal company.

Their attorney, Oscar W. Adams, Birmingham Negro lawyer, argued that a state statute and PSC orders relating to segregated waiting rooms should be found unconstitutional.

Specifically, he argued that Negroes are compelled to use segregated facilities and that signs in the train station are for the purpose of enforcing segregation.

The signs in question read "interstate and White Passengers" and "Colored Intrastate Passengers."

Asst. Atty. Gen. Gordon Madison argued that the signs were for the purpose of indicating to members of each race which waiting room they would probably choose on the basis of local custom.

But he denied that there was compulsory segregation at the Birmingham Terminal Station.

Alabama Atty. Gen. MacDonald Gallion attended the hearing but did not participate in the arguments before Judges Richard T. Rives, John R. Brown, and John Minor Wisdom.

SHUTTLESWORTH CHILDREN FOUND GUILTY BY JUDGE

Atlanta Daily World
Atlanta, Ga.
GADSDEN, Ala. — Three Negro teen-agers were found guilty of delinquency in Juvenile Court here Sept. 16, because they refused to ride segregated on a Greyhound bus last month. *June 9-18-60*

The trio, children of the Rev. Fred L. Shuttlesworth of Birmingham, were then placed on indefinite probation by Judge Rayburn. They refused to accept the verdict through their attorney, Len Holt of Norfolk, Va., and announced that they would appeal to Circuit Court.

The judge expressed surprise at this, stating that nobody had ever appealed a decision of Juvenile Court. In an effort to discourage the appeal, he set the appeal bonds at \$5,000 each or a total of \$15,000.

Attorney Holt then pointed out that the children were juveniles and Judge Rayburn would have to take the responsibility for keeping them in jail until their parents could raise the bond money. Whereupon the judge relented and cut the bonds to \$500 each. These were quickly provided by sympathizers.

CLAIMS VERDICT UNJUSTIFIED

"The judge's verdict was unjustified," Mr. Shuttlesworth declared. "for no testimony at any time proved disorderly conduct by these children. To have accepted any verdict of guilty would have been un-Christian and -un-American."

"The day has arrived when Negroes will no longer accept punishment for crimes not committed. In this situation, even one day's probation makes a mockery of justice, as the children were sitting in an orderly way on an interstate bus when arrested. If any crimes were committed in the Gadsden case, they were committed by persons other than the children."

The hearing was closed but there were a number of white and Negro sympathizers in the hall outside. Mr. Shuttlesworth was told by a court attache that letters and telegrams protesting the treatment of the children had been received from all parts of the country and were still arriving during the hearing.

Protests had been called for by the Southern Conference Educational Fund, New Orleans and the Southern Christian Leadership Conference, Atlanta. Both are Southwide civil rights organizations of

which Mr. Shuttlesworth is an officer or director. The children involved in the case are Miss Patricia Shuttlesworth, 17; Miss Fredericka Shuttlesworth, 15; and their brother, Fred, Jr., 13. Two of the children said they were man-handled by police after their arrest Aug. 16.

Returning from Bus Case—

Shuttlesworth's Daughter Sues Over Airport Bias

working to end segregation and discrimination.

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She asked the U. S. District Court to restrain the limousine owners "from continuing the noxious practice of denying the use of the airport limousine service to Negro persons who use the facilities of the airport in going about their affairs."

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Her suit and that of her father against Dobbs' charge that denial of riding and eating facilities is in violation of their rights under the U. S. Constitution, and specifically the Fourteenth Amendment. Each suit seeks \$33,000 in compensatory and punitive damages.

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Front Seat No Longer 'Off Limits'

In Dixie

Bus JC

outlawed in Ala.

Set 7-30-60
BIRMINGHAM, Ala. — Encouraged by a federal court ruling declaring segregated seating on buses unconstitutional, more and more colored persons are taking front seats on the buses here.

Others are still riding under the traditional Jim Crow arrangement.

The United States Fifth Circuit Court of Appeals in a ruling July 12, said the Jim Crow seating violates constitutional rights of colored patrons.

The circuit court opinion reversed a decision of the federal court for the northern district of Alabama and sent the matter back to the lower court for "proceedings not inconsistent with" its opinion.

A Birmingham transit company spokesman said the ruling would be appealed to the U.S. Supreme Court, but at press time the appeal had not been filed.

Meanwhile, A. D. Shores, attorney for the plaintiffs, said he plans to go into court for an injunction to restrain the company from enforcing the Jim Crow ruling.

Mr. Shores said colored residents of Birmingham were "jubilant" at the circuit court ruling and are eager to get a clear-cut decision on the matter.

In October, 1958, several colored persons were arrested for violating a bus company rule on seating. The suit was filed as a result of these arrests. It

was dismissed by the federal district court on the grounds that no proof was shown that the company's action was, in effect, an action of the state.

In their suit the plaintiffs contended that a Birmingham city ordinance granted the bus company authority to adopt the seating rule and in doing so, delegated city authority, especially since the ordinance contained criminal penalties for violating the rule.

The Circuit Court of Appeals upheld this contention.

"We conclude that so long as an ordinance was in force, the acts of the bus company in requiring racially segregated seating, were state acts and were thus violative of the appellants' rights," the opinion held.

Judges John Minor Wisdom and Elbert P. Tuttle concurred in the majority opinion with Judge Ben F. Cameron dissenting.

U.S. Court Rules Against Alabama Bus Segregation

New Orleans, La.

New Orleans, La. — (ANP) — The United States Fifth Circuit Court of Appeals has declared segregated seating on bus lines in Birmingham, Ala., violates constitutional rights of Negro patrons.

The opinion of the circuit court reversed a decision of the federal court for the northern district of Alabama and sent the matter back to the lower court for "proceedings not inconsistent with" its opinion.

"We conclude that so long as an ordinance was in force, the acts of the bus company in requiring racially segregated seating, were state acts and were thus violative of the appellants' rights," the opinion held.

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In their suit the Negroes contended that a Birmingham city ordinance expressly granted the company authority to adopt the seating rule and so delegated city authority, especially when

the ordinance contained criminal penalties for violating the rule.

VIOLATED NEGROES' RIGHTS

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NEGROES ARRESTED IN 1958

A number of Negroes who were arrested in October, 1958, for violating the company rule on seating brought the case and it was dismissed by the district court on the grounds that no proof was shown that the company's action was, in effect, an action of the state.

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Birmingham Transit Ordered Reinstated As Party In Suit

New Orleans, La.

NEW ORLEANS (AP) — The U.S. Fifth Circuit Court of Appeals has ordered that the Birmingham Transit Co. be reinstated as a party in the Alabama bus integration suit.

The decision handed down Tuesday was signed by Judges Elbert Tuttle and John Minor Wisdom with Judge Ben F. Cameron dissenting. Cameron did not amplify his dissent.

A lower court ruled that the transit company was not a party of the issue since it was merely complying with orders from city commissioners and the police department in segregating passengers.

The court ordered that the judgment must be reversed and the cause remanded to the lower court for further proceedings "not inconsistent with the opinion."

SEPARATE BUS SEATING BANNED

The Times-Picayune
U.S. Court Holds Birmingham Plan Invalid

New Orleans, La.
The United States fifth circuit court of appeals has declared segregated seating on buses in Birmingham, Ala., a rule of the transit company, violates constitutional rights of Negro patrons.

The opinion of the circuit court reversed a decision of the federal court for the northern district of Alabama and sent the matter back to the lower court for "proceedings not inconsistent with" its opinion.

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proof was shown that the company's action was, in effect, an action of the state.

In its opinion the circuit court held "the simple company rule that Negro passengers must sit in back and white passengers must sit in front, while an unnecessary affront to a large group of its patrons, would not effect a denial of constitutional rights if not enforced by force or by threat of arrest and criminal action."

In their suit the Negroes contended that a Birmingham city ordinance expressly granted the company authority to adopt the seating rule and so delegated city authority, especially when the ordinance contained criminal penalties for violating the rule.

"We conclude that so long as such an ordinance was in force, the acts of the bus company in requiring racially segregated seating were state acts and were thus violative of the appellants' rights," the opinion held.

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Shuttlesworth Answers Connor On Bus "Riding"

Birmingham World Birmingham, Ala.
Sept 1-2-60.
By EMORY O. JACKSON

The Rev. F. L. Shuttlesworth, president of the Alabama Christian Movement for Human Rights, has charged that Public Safety Commissioner Eugene Connor has made "another pathetic attempt to deceive Negroes" by suggesting that Birmingham Transit Company drivers "have lawful authority to require passengers to follow their seating instructions."

Mr. Connor's statement was published in the metropolitan press Dec. 21 and drew the editorial support of the Birmingham News Dec. 22. Commissioner Connor in his published statement assailed the contents of a circular which carried the caption, "Negroes Can Now Sit Anywhere on Buses."

(Judge H. H. Grooms said in his opinion: "All forms of governmental racial discrimination, whether cleverly fashioned or free of disguise, are illegal... There is a very strong presumption that public officers will in good faith discharge their duties and observe the law.")

The Rev. Shuttlesworth, who is scheduled to be honored on the local Emancipation Day program Jan. 1, was a plaintiff in the bus-seating case in which Judge Grooms issued his opinion Nov. 23.

Meantime, The Post-Herald quoted Mr. Connor as saying: "The Birmingham Transit Company drivers have a lawful authority to require the seating of whites from the front to the rear of the bus, and Negroes from the rear to the front."

"Bus drivers have lawful authority to remove any person, colored or white, who refuses to comply with company rules."

"If violence or disorder occurs by reason of the reckless deception being propagated by these circulars it can and will be quelled by the police department."

(So far as is known, Birmingham Transit Company has made no statement either about the circulars or to the comments from Commissioner Connor. To what extent bus drivers can enforce a rule of seating without police backing or without running the risk of liability is left unanswered.)

Meanwhile, the Rev. Shuttlesworth, pastor of Bethel Baptist Church (North), has said that Judge Grooms' ruling will be appealed.

(The decision of U. S. Judge Seybourn H. Lynne in the "Waiting Room Case" has been appealed to the U. S. Fifth Circuit Court).

In reply to Mr. Connor's published statements, the Rev. Shuttlesworth issued the following comment (Dec. 21).

"Commissioner Connor's statement on the buses is another pathetic attempt to deceive Negroes. Negroes will look upon it as being 'old bull wrapped up in a new plea.' Negroes will ignore it, and ride in any seat they choose, for the Judge's ruling—which is the law of the case—says that police have no legal right to direct seating because of color, and that a refusal to obey a request to move from the front to the rear of a bus is not a breach of the peace."

"A major fact of the 20th century is that many Negroes will move out of 2nd class status, in spite of any efforts to keep them there and that includes Birmingham."

"Why didn't Mr. Connor threaten to arrest Negroes for riding desegregated? It is because he knows that both the bus company and he are powerless to stop them. In fact they are as powerless as a hound dog with his teeth extracted. Neither should the Commissioner think he can fool Negroes by his use of the words 'dangerous, violence and stirring up trouble. We have not come so far just to stop here.'"

"In olden days, the contest for justice and righteousness was between God and Baal; today it is between God and Eugene Connor."

Birmingham Tries To Revive Bus Jim Crow

The Call Birmingham City Mo.
By EMORY O. JACKSON

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Fight won in B'ham

BIRMINGHAM, Ala. — Colored passengers here are integrating public busses and encountering no difficulty, according to the Rev. Fred L. Shuttlesworth, president of the Alabama Christian Movement for Human Rights.

This announcement was made after a mass meeting of ACMHR at which many persons told of riding anywhere on busses in all parts of the city.

Almost 600 persons present voted to increase the integrated riding, which followed a three-year campaign by their organization.

SOME REPORTS made at

the meeting indicated that police have orders not to interfere with colored riders who sit in the front part of the busses.

This makes it entirely a matter between the bus company and the riders, the Rev. Mr. Shuttlesworth said.

He also noted that signs designating segregated seats have been removed from many busses.

THE BREAKDOWN of bus segregation came after a court ruling by U. S. District Judge H. H. Grooms. Colored persons then circulated thousands of circulars headed "Negroes Can Now Sit Anywhere on Buses." The circulars quoted excerpts from Judge Grooms' decision:

"The mere refusal to obey a request to move from the front to the rear of a bus... is not a breach of the peace." "...The police officers were without legal right to direct where Negroes should sit because of their color."

The Rev. Shuttlesworth said colored people are also integrating Terminal Station, which serves the railroads entering Birmingham.

Bus Mixing In Mobile Denied By U.S. Court

Alabama Journal
Montgomery, Ala.
 MOBILE — A federal judge refused today to order Mobile buses desegregated without a hearing on the merits of the case.
Phs. 1-5-60
 U. S. Dist. Judge Daniel H. Thomas denied a petition by two Negroes asking a summary judgment. The judge had taken the motion under consideration last November.

Charles F. Wilson of Pensacola, Fla., and Clarence B. Moses of Mobile, Negro attorney for the petitioners, had requested the summary judgment on grounds the defendants failed "to admit or deny requests for admissions and affidavits."
 The judge gave no reason for the denial in his verdict.

Norman Evans and Mathew Boney originally sued in April asking that the city's bus segregation laws be declared unconstitutional. The suit also asked that the defendants be enjoined from enforcing segregation policies on public buses here.

The two Negroes said in their complaint that a city policeman forced them on Feb. 22, 1959, to move from the front to the rear of a bus under threat of arrest. They claimed the action was solely because of their race.

Defendants were Mobile City Lines, Inc., the City of Mobile, and the three Mobile city commissioners, Henry Luscher, Joseph Langan and Charles Hackmeyer. Thomas later removed the City Bus Line as a defendant.

No date has been set for a hearing of the case on its merits.

Mobile bus segregation ordinances require that Negroes fill the rear seats forward, and white passengers take seats from the front toward the back.

CAB Officials Thwart Petition For Mixing

Board Lacks Authority, Experts Say

The Montgomery Advertiser
Phs. 2-12-60
 Spokesmen for the Civil Aeronautics Board in Washington took the position Thursday that the federal agency has no power to order integration of facilities at Montgomery's Dannelly Field.

A similar view was expressed by Alabama's attorney general, MacDonald Gallion.

But a Negro attorney who filed a petition with the CAB asking for an integration order took issue with the board's legal experts and said he will insist on a formal ruling.

The petition, filed on behalf of three Montgomery Negro leaders and one in Baltimore, Md., asked for a decree outlawing segregation at the airport waiting rooms, restrooms and restaurant.

NO AUTHORITY
 It also requested the agency to declare invalid Montgomery's city ordinance which prohibits mixing of the races at the airport terminal.

Associated Press quoted members of the board's legal staff as saying they construe the law to mean the CAB has no authority to order integrated waiting room, dining room and restroom facilities.

They said some complaints have been received in the past and they have been referred to the Federal Aviation Agency.

The FAA, which has control over the distribution of matching federal funds for airport construc-

tion, said its contract regulations against segregation apply only to airport facilities where federal money has been spent.

MUNICIPAL FUNDS USED

While matching federal funds were used to help build the \$1,035,000 terminal building here, the restaurant and restrooms were constructed entirely with municipal funds as a precaution against suits seeking integration.

Solomon Seay Jr., who filed the CAB petition, said the board does have authority to outlaw segregation no matter what its legal staff says.

"Based on the Federal Aviation Act of 1958," he said, "there's no way of getting around it."

The Negro attorney said he will wait for a formal ruling from the CAB and will appeal to court if the federal agency officially decides it has no power to enforce integration.

Gallion, asked if a board could strike down a city ordinance, said: "I don't see that they would have the authority. I know of no other governmental agency where a similar board has the authority to declare a city ordinance unconstitutional."

Seay, answering the argument that no federal funds were involved in building the airport restaurant and restrooms, said that is immaterial. He argued the CAB has power to prohibit segregation at any airport terminal.

Seay's complaint asked the CAB to enter an order or decree declaring a city ordinance pertaining to segregation at the terminal building "is in conflict with the Constitution and laws of the United States and is therefore unconstitutional."

Complainants in the petition are the Rev. Solomon Seay Jr., father of the attorney; the Rev. Ralph

D. Abernathy and the Rev. H. J. Palmer, all top officers in the pro-integration Montgomery Improvement Assn.; and the Rev. John Lee Tilley of Baltimore, who allegedly was denied service recently in the airport restaurant.

Rights Veterans Smash Travel Bias Customs

The Pittsburgh Courier
Pittsburgh, Pa.
Phs. 3-5-60
 MOBILE—What was believed to be the last bastion of travel segregation in Mobile crumbled when two battle-scarred veterans of the civil rights struggle refused to accept separate waiting room accommodations at the Trailways Lines bus depot here.

They were A. S. Crishon, one of the principals in the epoch-making 1955 Interstate Commerce Commission ruling against segregation in interstate commerce, and J. L. LeFlore, who has been in the vanguard of the fight in opposition to jim-crow travel for more than 20 years. He is also listed in the annals of the famous ICC case, along with Crishon and the others who won this important victory for self-respect and dignity of the individual through the NAACP.

Crishon and LeFlore were ordered from the so-called white waiting room of the Trailways bus lines by the ticket agent when they sought to purchase tickets to Pensacola, Fla. They promptly advised the bus company employee that they were interstate passengers and not subject to state segregation laws.

THE TICKET agent, obviously stunned by the polite but firm attitude of Crishon and LeFlore, then conversed with the driver of the Pensacola bus. A few minutes later the bus driver told the

two civil rights leaders that all seats were reserved on the bus and all reservations had been taken, therefore they could not ride with him.

Crishon and LeFlore, who are regarded as having a fairly good knowledge of travel questions did not appear disturbed by the reserved seat story and took seats in the previously all-white waiting room until passengers were called for the Pensacola bus. However, in the interim, the ticket agent made a telephone call, presumably to the police department, but they remained seated in a nonchalant manner. Later the Negro porter at the bus station came into the waiting room to tell them that "the colored waiting room is on the other side."

LEFLORE ALSO told him that they were interstate passengers and would not move.

They boarded the bus without further attempts by Trailways employees to force them to go to the Negro waiting room. On the bus they took seats near the front and traveled integrated but without annoyance.

Both said afterwards, in commenting on the travel situation in the Deep South, that Negroes in larger numbers must begin to exercise their lawful right to use so-called white waiting rooms

traveling in interstate commerce (trips between states), and not segregate themselves on buses, trains or airlines, whether their trips are intrastate (within a state) or interstate in nature. They also expressed an opinion that a test case should now be made against jim-crow waiting rooms in intrastate travel situations. Trailways Bus Lines had imposed a rigid segregation policy in its waiting rooms here until the Crishon-LeFlore incident.

2 Alabamans kick out another jim crow wall

MOBILE, Ala. — What was believed to be the last bastion of travel segregation in Mobile crumbled last Monday night when two veteran civil rights fighters refused separate waiting room accommodations at Trailways bus depot.

They were A. S. Crishon, one of the principals in the 1955 Interstate Commerce Commission ruling against segregation in interstate commerce, and J. L. LeFlore, a fighter against jim crow travel for over 20 years.

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Both said afterwards, in commenting on the travel situation in the Deep South, that colored in larger numbers must begin to exercise their lawful right in interstate travel.

Negroes Use Waiting Room At Dannelly

Two Negroes took seats in the white waiting room at Dannelly Field Tuesday but whether it was a deliberate integration attempt was not learned.

The Negroes left when police arrived. They walked outside and boarded an airliner. No arrests were made.

J. Josh Couch Jr., airport director, said he believes the two Negroes may have entered the white waiting room by mistake. He said on several occasions in the past Negroes have entered the white room by error but moved when asked.

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SUIT FILED

Appeals Court Asked For Restraining Edict Against Bus Company

BIRMINGHAM, Ala. — The Fifth Circuit Court of Appeals was asked today to order the operator of the Birmingham City bus line to put an end to its passenger segregation policy.

In a brief filed today with the court 13 Birmingham Negroes asked the Court of Appeals to issue an injunction restraining the Birmingham Transit Company from segregating its passengers by race.

The case originated out of an incident of October 20, 1958, when 9 of the 13 Negroes were arrested for refusing to move from the front section of a bus to the rear. They were charged with and convicted of breach of the peace.

A week prior to the arrests, two city ordinances requiring racial segregation of passengers in public transportation were repealed and a new one enacted. The new ordinance allowed operators of buses and taxis to establish their own rules for seating passengers and made failure to obey bus drivers a misdemeanor.

The bus company then placed signs reading "White passengers seat from front, colored passengers seat from rear," on its buses.

At the time the old ordinances were repealed and the new ones enacted, a suit brought by a group of Negroes seeking to enjoin the city commissioners from enforcing the segregation codes was pending in the district court. The suit was dismissed after the repeal of those laws.

Following the arrests and convictions, the Negroes filed a suit in the federal district court seeking an injunction against the bus company. The court held that the police officers who made the arrests

of the Birmingham City bus line to put an end to its passenger segregation policy.

In a brief filed last week with the court, 13 Birmingham colored citizens asked the Court of Appeals to issue an injunction restraining the Birmingham Transit Company from segregating its passengers by race.

The case originated out of an incident of October 20, 1958, when nine of the 13 were arrested for refusing to move from the front section of a bus to the rear. They were charged with and convicted of breach of the peace.

A WEEK prior to the arrests, two city ordinances requiring racial segregation of passengers in public transportation were repealed and a new one enacted.

The new ordinance allowed operators of buses and taxis to establish their own rules for seating passengers and made failure to obey bus drivers a misdemeanor.

The bus company then placed signs reading "White passengers seat from front, colored passengers seat from rear," on its buses.

A federal district court held that the police officers who made the arrests violated the colored citizens' constitutional rights and that the city could not use the law to require segregation, but that the bus company was a "private" operator and was not subject to the restraints of the Fourteenth Amendment.

It is this latter portion of the ruling of the district court that they are now appealing. In the brief filed with Fifth Circuit Court of Appeals their attorneys argue that the district court erred in denying the injunction against the bus company which continues to require colored passengers to ride in the back of its buses.

Attorneys representing them are Thurgood Marshall, Jack Greenberg and James M. Nabrit 3rd of the NAACP Legal Defense and Educational Fund staff in New York City, and Arthur D. Shores of Birmingham.

Press Ala.
The Afro-Tem.
bus case

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END BIRMINGHAM BUS J'CROW COURT ASKED

Birmingham World
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Students Held Sitting Toward Front in Buses

The Black Dispatch
Released on \$30 Bond
For Disorderly Conduct

AUGUSTA, Ga. — (ANP) — Students in this city staged their first anti-bias protest early last week when 11 of them boarded three city buses and took front seats, in a public display of the nonsensical bias seating patterns which exist in city transportation.

There was no disorder, but bus drivers immediately halted their vehicles, called the police who jailed the students on charges of disorderly conduct. The students were later released under \$30 bonds.

Over in Marshall, Tex., a one-man "lying-down" protest against segregation was launched by a 63-year-old itinerant white minister on the campus of Wiley college. The Rev. Ashton Jones, who claims he has been jailed 17 times for his anti-segregation demonstrations, was arrested by police on a charge of vagrancy and held under \$200 bond. He had to be carried to the police car and also inside the jail when he refused to travel under his own power.

A bomb threat turned out to be a fake at the Abercrombie dormitory for women on the Alabama State college campus. A telephone call said that a bomb would explode in the laundry at 11:05 a.m. Firemen, called to search the building, found no explosives.

In Jacksonville, Fla., U. S. District Judge Bryan Simpson refused the city's request to dismiss a suit asking integration of all city recreational facilities. In refusing to dismiss the suit, filed last Oct. 24, Judge Simpson held that custom and enforced segregation was sufficient to make a valid complaint.

Birmingham Negroes Again Seek To End Bus Line Bias

Oklahoma Eagle
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It is this latter portion of the ruling of the district court that the Negroes are now appealing.

Birmingham Transit Ordered Reinstated As Party In Suit

The Montgomery Advertiser
NEW ORLEANS, La. — The U.S. Fifth Circuit Court of Appeals has ordered that the Birmingham Transit Co. be reinstated as a party in the Alabama city's bus integration suit.

The decision handed down Tuesday was signed by Judges Elbert Tuttle and John Minor Wisdom with Judge Ben Cameron dissenting. Cameron did not amplify his dissent. A lower court ruled that the

CAB Rejects Negro Suit On Dannelly

The Montgomery Advertiser
In what was hailed here as a tremendous victory for the City of Montgomery, the Civil Aeronautics Board Friday refused to take action to segregation in the use of airport facilities at Dannelly Field.

The board dismissed a complaint filed by four Negro ministers and suggested that they seek "a much more direct and apparently efficacious remedy through resort to judicial action."

Courses of action sought in the suit are not practical, the board ruled in Washington.

Calvin Whitesell, who headed the fight against the suit as a member of the city's legal staff, said, "It is a tremendous victory for the City of Montgomery."

'NO JURISDICTION'

"What the courts will do remain to be seen—if any action is taken to the courts," he said. "The city maintained throughout these proceedings that the CAB had no jurisdiction over the terminal facilities and city ordinances of the City of Montgomery and we are gratified that the Civil Aeronautics Board deemed this to be a sound contention."

City Commissioner Frank Parks, whose departments include the airport, termed the ruling as "good news" and said, "Our contention all along was that a federal agency could not overthrow municipal ordinances."

Solomon Seay Jr., Negro attorney who filed the suit, said he will "no doubt effect an appeal to the (federal) court of appeals."

"I think the board has the power to give the plaintiffs the relief asked for," he said. "Our action will be to determine judicially if the board has this power."

The suit was filed last February

in behalf of the Rev. Solomon Seay Sr., and three other ministers, John Lee Tilley, H. J. Palmer and Ralph D. Abernathy. Tilley is of Baltimore, Md., the others from Montgomery.

They asked the CAB's enforcement bureau to take action against Eastern and Delta airlines and city and airport officials.

The complaint said Tilley, last Feb. 25, was denied service at a restaurant in the airport's terminal facilities solely because of his race or color.

It was further charged that the airport had a policy of denying the use of waiting room facilities, certain water fountains and certain toilet facilities to Negroes. The enforcement bureau notified the complainants on May 24 that the Civil Aeronautics Act does not require airlines to provide terminal facilities and that Montgomery officials were not subject to CAB jurisdiction.

The Negro group appealed to the board. In its ruling Friday, the CAB reiterated its inability to act. It said:

"Obviously, what is here involved is an attempt to have this board strike down a city ordinance and eliminate segregation practices through an order either compelling the carriers to provide their own facilities . . . or in effect enjoining the municipality."

"Neither course of action impresses us as practical."

Negroes Ask Integration At Dannelly

Four Negroes have petitioned the Civil Aeronautics Board in Washington to order integrated facilities at Dannelly Field.

Solomon S. Seay Jr., attorney for the Negroes, said he mailed the complaint Tuesday asking the CAB to ban the airport's separate waiting, dining and rest rooms.

He said the action was filed on behalf of three Montgomery Negro ministers, the Rev. Ralph D. Abernathy, the Rev. J. J. Palmer and the Rev. S. S. Seay Sr., see where they have any grounds cause they refused to ride se-father of the attorney, and John Lee Tilley, Negro of Baltimore, Md., who allegedly was refused service recently in the restaurant.

Defendants in the complaint are Eastern Air Lines, Delta Air Lines, Montgomery's three city commissioners and City Airport Director J. J. Couch, Seay said.

The Negro attorney said he understands that the Civil Aeronautics Board has the authority to order integration of the airport's eating, waiting and toilet facilities. All are separate now.

City Public Works Commissioner Frank W. Parks, under whose direction Dannelly Field is administered, told The Advertiser Wednesday night that no federal money was involved in construction of the dining, waiting or rest rooms at the field when the new administration building was constructed in 1958.

Matching funds from the federal government were used in other parts of the building, as they have been in most improvements at the municipal airport.

Mayor Earl James was reported to be out of town. Commissioner L. B. Sullivan said he had received a copy of the complaint and referred it to the city legal department. He declined further comment.

City Atty. Walter J. Knabe said the complaint arrived late

Wednesday afternoon and he had not had time to study it.

Couch also declined comment "until I know more about it."

Seay said the complaint is based on Tilley's being refused service in the white restaurant when he visited the airport several months ago.

One of the complainants, Abernathy, recently succeeded the Rev. Martin Luther King Jr., well-known Negro leader, as president of the integrationist Montgomery Improvement Assn. Another of the four, Seay Sr., is executive secretary of the MHA.

Representatives of the two airlines serving Montgomery—Eastern and Delta—both expressed surprise that they should be

named as defendants in the complaint.

Carlton Parker, manager for Eastern Airlines, said "I don't see where they have any grounds cause they refused to ride se-father of the attorney, and John Lee Tilley, Negro of Baltimore, Md., who allegedly was refused service recently in the restaurant.

He said he had not known of the complaint until contacted by The Advertiser.

Fred West, manager for Delta Air Lines, echoed the same surprise. He said, "I don't see how they could make a suit against the airlines, since we have no control over facilities at Dannelly. As far as I can see we are just innocent bystanders."

The airport suit was the third attack by Montgomery Negroes in public facilities. In November 1956 the U.S. Supreme Court upheld a lower court decision outlawing segregation on city busses and local busses since have been integrated. This action came after the mass Negro boycott of busses organized by the MIA.

City parks, closed since Jan. 1, 1959, must be integrated it and when they open again, U.S. District Judge Frank M. Johnson ruled here on Sept. 8, 1959. The judge made it clear he "will not and cannot" order the city to reopen the parks, however. The city closed the facilities in the face of threatened integration moves.

No legal action has been initiated, but a threatened target of integration activity has been the

Montgomery school system.

The new \$1,035,000 terminal building at Dannelly Field was dedicated Oct. 5, 1958, with an afternoon-long air show and ceremonies attended by several civilian and military aviation leaders.

The building replaced a small temporary structure which had been inadequate for many years.

Shuttlesworth Kids 'Guilty' In Bias Case

GLADSDEN, Ala. — Three Negro teen-agers were found guilty of delinquency in Juvenile Court here Sept. 16, because they refused to ride segregated on a Greyhound bus.

The three children of the Rev. Fred L. Shuttlesworth of Birmingham, were then placed on indefinite probation by Judge Rayburn. They refused to accept the verdict through their attorney, Len Holt of Norfolk, Va., and announced that they would appeal to Circuit Court.

The judge expressed surprise at this, stating that nobody had ever appealed a decision of Juvenile Court. In an effort to discourage the appeal, he set the appeal bonds at \$5,000 each — or a total of \$15,000.

Attorney Holt then pointed out that the children were juveniles and Judges Rayburn would have to take the responsibility for keeping them in jail until their parents could raise the bond money. Whereupon the judge relented and cut the bonds to \$500 each. These were quickly provided by sympathizers.

The day has arrived when Negroes will be longer accept punishment for crimes not committed. In this situation, even one day's probation makes a mockery of justice, as the children were sitting in an orderly way on an interstate bus when arrested. If any crimes were committed in the Gadsden case, they were committed by persons other than the children.

HEARING CLOSES

The hearing was closed, but there were a number of white and Negro sympathizers in the hall outside. Shuttlesworth was told by a court attache that letters and telegrams protesting the treatment of the children had been received from all parts of the country and were still arriving during hearing.

Protests had been called for by the Southern Conference Educational Fund, New Orleans, and the Southern Christian Leadership Conference, Atlanta. Both are Southwide civil rights organizations of which Shuttlesworth is an officer or director.

The children involved in the case are Miss Patricia Shuttlesworth, 17; Miss Fredericka Shuttlesworth, 15, and their brother, Fred, jr., 13. Two of the children said they were manhandled by police after their arrest Aug. 16.

THE DEFENDANTS are Miss Patricia Shuttlesworth, 17; Miss Fredericka Shuttlesworth, 15, and their brother, Fred Jr., 13.

The Shuttlesworth children had spent July and August at the Highlander Folk School in Monteagle, Tenn., and were returning home on the Greyhound bus by way of Tennessee.

They sat in the back of the bus until it became too hot, for them. South of Chattanooga the two younger ones moved up front.

WHEN THEY arrived in Gadsden, Ala., the depot was surrounded with police. A police sergeant arrested them. They were held in jail overnight.

The Rev. Mr. Shuttlesworth is a leading figure in the fight against racial segregation and discrimination in the South.

Judge Rayburn noted that no decision of his had ever been appealed before and angrily set bond for each child at \$5,000.

This was later finally reduced to \$500 each.

Minister's 3 Children Found Guilty

GLADSDEN, Ala. — Three children of Rev. F. L. Shuttlesworth, were found guilty of juvenile delinquency although no testimony was presented to show such conduct at a hearing in Juvenile Court here Sept. 16.

Judge William Rayburn placed all three in indefinite probation and their counsel, Len Holt of Norfolk, Va., promptly filed an appeal.

Judge Rayburn noted that no decision of his had ever been appealed before and angrily set bond for each child at \$5,000.

This was later finally reduced to \$500 each.

THE CASE GREW out of a bus incident here when the Shuttlesworth children were traveling interstate from Monteagle, Tenn., to Birmingham.

The children refused to move to rear seats when asked by the driver and police. The appeal will be heard in Etowah Circuit Court.

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Shuttlesworth Children Found Guilty By Judge

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The trio, children of the Rev. Fred L. Shuttlesworth of Birmingham, were then placed on indefinite probation by Judge Rayburn. They refused to accept the verdict through their attorney, Len Holt of Norfolk, Va., and announced that they would appeal to Circuit Court.

The judge expressed surprise at this, stating that nobody had ever appealed a decision of Juvenile Court. In an effort to discourage the appeal, he set the appeal bonds at \$5,000 each — or a total of \$15,000.

Attorney Holt then pointed out that the children were juveniles and Judge Rayburn would have to take the responsibility for keeping them in jail until their parents could raise the bond money. Whereupon the judge relented and cut the bonds to \$500 each. These were quickly provided by sympathizers.

CLAIMS VERDICT UNJUSTIFIED

"The judge's verdict was unjustified," Mr. Shuttlesworth declared "for no testimony at any time proved disorderly conduct by these children. To have accepted any verdict of guilty would have been un-Christian and -un-American."

"The day has arrived when Negroes will no longer accept punishment for crimes not committed. In this situation, even one day's probation makes a mockery of justice, as the children were sitting in an orderly way on an interstate bus when arrested. If any crimes were committed in the Gadsden case, they were committed by persons other than the children."

The hearing was closed but there were a number of white and Negro sympathizers in the hall outside. Mr. Shuttlesworth was told by a court attache that letters and telegrams protesting the treatment of the children had been received from all parts of the country and were still arriving during the hearing.

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The children involved in the case are Miss Patricia Shuttlesworth, 17; Miss Fredericka Shuttlesworth, 15; and their brother, Fred, Jr., 13. Two of the children said they were handled by police after their arrest Aug. 16.

5 Birmingham Negroes Seek To Mix Airport Facilities

In the other suit, Shuttlesworth, Holt, Billups, Rodgers and Armstrong contended they were denied service in the airport restaurant Sept. 7.

Both instances, they said, caused "grievous, insulting and irreparable harm."

No hearing date was set.

The two suits, filed in U.S. District Court here, cited recent instances when Negroes were prohibited from riding in the limousine and were denied service in the restaurant.

The suits also seek \$33,000 damages in each of the two cases.

The suits were filed by the Rev. F. L. Shuttlesworth, the Rev. Charles Billups, L. J. Rodgers and James Armstrong, all of Birmingham, and Len Holt of Norfolk, Va.

Lee Rigsby, president of City Cab Co., which operates the airport limousine, said:

"We try our best to maintain segregation on the limousine but no Negro ever has done without a ride. When we have Negroes who need rides in from the airport, we send a car for them. Sometimes it's my Cadillac."

Thomas L. Grant, assistant manager of Dobbs House, Inc., which operates the airport restaurant, said service is segregated as a matter of practice.

In one suit, Shuttlesworth and Holt contended that Shuttlesworth's daughter Patricia and Holt were not allowed to ride in the airport limousine on Sept. 16.

1,000 attend trial of cleric's children

By LEN HOLT

GADSDEN, Ala. — An estimated 1,000 spectators jammed (sardine fashion) the court room for the spectacle.

While technically cast in the role of defendants, the three children of the Rev. Fred Shuttlesworth unwittingly were thrust into the task of prosecutors. On trial was southern justice.

Prepared for the job of being both judge and jury were card-carrying members of the Gadsden Klan, who boldly announced their meetings on signs placed

near the city entrance with the same pride and freedom of the local Rotary Club.

As they judged, also judged were the thousands of colored citizens of Gadsden and Birmingham who smelled the same ol' rotten fish of Alabama segregation.

THE SETTING for the spectacle arose several weeks ago when Lt. Jesse Adams of the local police force ordered Patricia, Ruby and Fred Shuttlesworth Jr. to move from their seats in the front of the bus and go to the back.

Shock followed these arrests — shock of the kind which comes when one discovers that a battle long since won has to be fought again, just as if the Supreme Court had never said over five years ago that segregation on buses was illegal.

AFTER FOUR HOURS of examination, and cross examination, the defense attorney made a motion to dismiss at the conclusion of the prosecution's case.

The adult charges were dismissed and Patricia Shuttlesworth was referred to the juvenile court.

THE CHILDREN were arrested on Aug. 16. They were enroute to their home in Birmingham from Monteagle, Tenn., where they had spent six weeks.

According to Patricia, they changed buses in Chattanooga, Tenn.

"We sat on the back seat of the bus, but two of us gave our seats to an elderly couple and went up front, as it was very hot in the back."

"The driver told us we had

to go back, but we told him it was too hot in the back. Then he said we had to get off. But we refused to get off. He asked for our tickets and marked 'O.K.' on them and offered them to us, but we did not take them. "He got off and went inside for what seemed a long time, and returned and drove off."

"... When we got to Gadsden, the driver announced a 15-minute layover and got off and went into the depot. A few minutes later we saw a number of police officers, but we had no idea what they were doing."

"SOON SOME of them got on the bus and came and stood directly over us. One of them said we had to go to the back. Patricia said, 'Why?' An officer then grabbed Fred by the collar and by the belt, pulled him up and said, 'You're under arrest.'"

The children then added they were taken to jail where they were questioned and frequently insulted. The officers also were accused of beating Fredericka and choking Fred.

According to the children, they were in jail for over three hours before Patricia was allowed to notify their father. They spent the night in jail and were released on \$300 bond each the following day.

BUT BEFORE the dismissal and referral, it was established that:

The driver of the Greyhound bus had asked the Gadsden police to make the children take a back seat.

That the three Shuttlesworth children were not disorderly and would not have been arrested if they had complied with Lieutenant Adams' order to vacate the front seat of the bus and take one in the back.

That the Shuttlesworth children were arrested because the police thought there would be trouble from the crowd outside the bus which allegedly made threats.

Throughout the three-hour trial in the overflowed Gadsden courtroom, the Rev. Fred Shuttlesworth looked a little amazed.

"I'm really amazed," he said, asking: "Didn't the right of the colored people to ride anywhere on a bus in interstate

commerce get established a decade ago? Maybe Alabama is 10 years behind the rest of the United States."

Mobile Bus Firm Discusses Hiring Race

The Pittsburgh Courier
MOBILE, Ala. — A conference to discuss the question of employment of qualified Negro citizens as bus drivers and mechanics has been arranged to be held Wednesday of this week, it was revealed by J. L. LeFlore, widely known veteran civil rights leader, who has been in the vanguard of the effort.

LeFlore, case work director for the Citizens Committee, and Prof. C. E. Powell, head of the Non-Partisan Voters League, first asked for favorable consideration of the hiring of colored bus drivers and mechanics by the Mobile City Lines, when they appeared before the City Commission, Nov. 30, in opposition to increased bus fares.

They pointed out that an estimated 40 per cent of bus riders are Negro, and that this extensive patronage is deserving of an equitable consideration of job opportunities.

IN A SUBSEQUENT move, in which they invited participation by the Alabama Civic Affairs Association, the Rev. J. E. Lowery, president, the two leaders formally asked the bus company to afford bus drivers and mechanic jobs to Negroes as vacancies may exist.

LeFlore, as executive secretary of the NAACP here, led a successful threatened "walk" move in 1942 to disarm bus drivers, when a Negro soldier was killed on a bus.

The bus company, at that time, complied with all of the Negro citizens' demands, with the exception of agreeing to hire Negro drivers. Citizens, through the NAACP, had asked for the disarming of bus drivers, more courteous treatment, first come first served seating arrangement and jobs as motor coach operators.

Bus Integration Working in B'ham

The Pittsburgh Courier
BIRMINGHAM, Ala. — Negroes here are integrating public buses and encountering no difficulty, according to the Rev. Fred L. Shuttlesworth, president of the Alabama Christian Movement for Human Rights.

This announcement was made after a mass meeting of ACMHR at which many Negroes told of riding anywhere on buses in all parts of the city.

Almost 600 persons present voted to increase the integrated riding, which followed a three-year campaign by their organization.

SOME REPORTS made at the meeting indicated that police have orders not to interfere with Negroes who sit in the front part of the buses.

This makes it entirely a matter between the bus company and the riders, the Rev. Shuttlesworth said. He also noted that signs designating segregated seats have been removed from many buses.

The breakdown of bus segregation came after a court ruling by U.S. District Judge H. H. Grooms. Negroes then circulated thousands of circulars headed "Negroes Can Now Sit Anywhere on Buses." The circulars quoted excerpts from Judge Groom's decision:

THE MERE refusal to obey a request to move from the front to the rear of a bus... is not a breach of the peace.

"The police officers were without legal right to direct where Negroes should sit because of their color."

The Rev. Shuttlesworth said Negroes are also integrating Terminal Station, which serves the railroads entering Birmingham.

NEGRO BUS DRIVERS SOUGHT IN MOBILE

Atlanta Daily World
MOBILE, Ala. (AP) — A conference to discuss the question of employment of qualified Negroes as bus drivers and mechanics has been arranged to be held Wednesday. It was revealed by J. L. LeFlore, widely known veteran civil rights leader who has spearheaded the effort.

LeFlore, case work director for the Citizens Committee and Prof. C. E. Powell, head of the Non-Partisan Voters League, first asked for favorable consideration of the hiring of colored bus drivers and mechanics by the Mobile City Lines when they appeared before the City Commission on Nov. 30, in opposition to increased bus fares.

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In a subsequent move, in which they invited participation by the Alabama Civic Affairs Assn., Rev. J. E. Lowery, President. The two leaders formally asked the bus company to afford bus driver and mechanic jobs to Negroes as vacancies may exist. Arrangement of the conference followed this move.

LeFlore, as executive secretary of the NAACP here, led a move to disarm city bus drivers, when a Negro soldier was killed on a bus in 1942.

The bus company at that time complied with all of the Negro citizens' demands with the exception of agreeing to hire Negro drivers. Through the NAACP asked for the disarming of the drivers, more courteous treatment, first come, first served seating arrangement and jobs as bus operators.

Another Lost Cause

The Afro
Attorney Solomon Seay Jr., is on solid ground in pressing his demand that segregation be ended at Montgomery's new million-dollar airport.

Mr. Seay, acting on behalf of four ministers, the Rev. John Lee Tilley of Baltimore and the Revs. Ralph D. Abernathy, B. J. Palmer and Solomon Seay Sr. of Montgomery, petitioned the Civil Aeronautics Board to end racial discrimination at the facility.

The CAB's legal staff, in a cuff opinion, has held that the federal agency has no power to interfere.

Mr. Seay, citing the Federal Aviation Act of 1958, insists that it does have that authority. The 1958 law provides that airports erected with matching federal funds must be available on an equal basis to all citizens, regardless of color.

The Montgomery airport could not have been constructed without a grant of federal money. And it appears to us the CAB is failing in its duty if it continues to look the other way while Montgomery ignores its contractual pledge.

Even the city's contention that the

restaurant and restroom facilities were constructed wholly with city funds, offers no escape from its responsibility to comply with the 14th Amendment.

U.S. District Judge Boyd Sloan made that fact crystal clear in the Atlanta Municipal Airport case a brief few weeks ago.

So if the Civil Aeronautics Board insists on dragging its feet, Mr. Seay has only to turn to the Federal court for relief. Montgomery is fighting another lost cause.

CAB Rejects Integration Request

The Atlanta Journal-Constitution
WASHINGTON, Sept. 17 (AP) —

The Civil Aeronautics Board has refused to attempt to end segregation in the use of airport facilities at Dannelly Field, Montgomery, Ala.

The board recommended that complaining Negroes seek "a much more direct, and apparently efficacious, remedy through resort to judicial action."

The board dismissed a complaint filed by H. J. Palmer, John Lee Tilley, S. S. Seay Sr., and Ralph D. Abernathy.

The group had asked CAB's enforcement bureau to take action against Eastern and Delta Airlines and city and airport officials of Montgomery, which owns and operates the airport.

The complaint said Tilley, last Feb. 25, was denied service at a restaurant in the airport's terminal building solely because of his race or color.

The complaint further charged that the airport had a policy of denying the use of waiting rooms facilities, certain water fountains and certain toilet facilities to Negroes.

The enforcement bureau notified the complainants on May 24 that the Civil Aeronautics Act does not require airlines to provide terminal facilities and that Montgomery officials were not subject to CAB jurisdiction.

CAB Denies Authority To Integrate Airport

MONTGOMERY, Feb. 11 (AP)—Spokesmen for the Civil Aeronautics Board took the position today that the Federal agency has no power to order Montgomery's municipal airport integrated.

But a young Negro attorney who filed a petition with the CAB asking for an integration order took issue with the board's legal experts and said he will insist on a formal ruling.

The petition, filed on behalf of three Montgomery Negro leaders and one in Baltimore, asked for a decree outlawing segregation at the airport waiting rooms, restrooms and restaurant.

It also requested the CAB to declare invalid Montgomery's city ordinance which prohibits integration.

Legal experts for the board in Washington said they construe the law to mean CAB has no authority to order integrated waiting room, dining room and restroom facilities.

Complaints Received

They said some complaints have been received in the past and they have been referred to the Federal Aviation Agency.

The FAA, which has control over the distribution of matching Federal funds for airport construction, said its contract regulations against segregation apply only to airport facilities where Federal money has been spent.

Although Federal funds were used to help build Montgomery's new million dollar air terminal, the restaurant and restrooms were constructed entirely with municipal money.

Negro Atty. Solomon Seay Jr., who filed the CAB petition, said the Civil Aeronautics Board does have authority to outlaw segregation, no matter what its legal staff says.

Gallion Disagrees

Alabama's Atty. Gen. Macdonald Gallion, taking issue with the Negro attorney, challenged the authority of the CAB to hold city ordinance invalid.

Gallion said "I know of no other governmental agency where similar board has the authority."

The petition asking integrated facilities at Montgomery's airport, Dannelly Field, was filed on behalf of Seay's father, the Rev.

S. S. Seay Sr.; the Rev. Ralph D. Abernathy and the Rev. H. J. Palmer, all of Montgomery, and the Rev. John Lee Tilley of Baltimore.

The petition said Tilley was refused service at the restaurant during a visit here several months ago.

Plan Parley On Ala. Bus Job Bias

MOBILE, Ala. — A conference to discuss the question of employment of qualified Negro citizens as bus drivers and mechanics has been arranged for this week, it was revealed by J. L. LeFlore, widely known veteran civil rights leader, who has been in the vanguard of the effort.

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They pointed out that an estimated 40 percent of bus riders are Negro, and that this extensive patronage is deserving of an equitable consideration of job opportunities.

ASKS FOR JOBS

In a subsequent move, in which they invited participation by the Alabama Civic Affairs Assn., Rev. J. E. Lowery, president, the two leaders formally asked the bus company to afford bus driver and mechanic jobs to Negroes as vacancies may exist. Arrangement of the conference followed this move.

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The bus company at that time complied with all of the Negro citizens' demands with the exception

of agreeing to hire Negro drivers. Citizens, through the NAACP had asked for the disarming of bus drivers, more courteous treatment, first come, first served seating arrangement, and jobs as motor coach operators.

Judge Airs Bus Suit In Mobile

MOBILE, Ala. — A federal district judge here recently refused to judge a summary judgment in Mobile's city bus desegregation suit.

Judge Daniel H. Thomas of Alabama's southern district federal court, denied a petition which had asked that the jim crow seating arrangement on Mobile City Lines buses be wiped out without a hearing on the merits of the case.

This means that a further delay will be involved before a final decision is made. A pre-trial conference is expected soon.

HISTORIC SUIT — Plaintiffs in what has been described in some quarters as "an historic suit" are Norman Evans and Matthew Boney, two young war veterans. They are represented by Attys. Charles F. Wilson of Pensacola, Fla., and Clarence E. Moses of Mobile.

Judge Thomas had the motion for summary judgment under submission since November. The plaintiffs had asked for the summary judgment on the grounds that the defendants—the City of Mobile and the three city commissioners — Joseph N. Langan, Henry R. Luscher and Charles F. Hackmeyer had failed "to admit or deny requests for admissions and affidavits." The Mobile City Lines was originally named as a defendant, however, a request in earlier action of the suit by the company, led to Judge Thomas eliminating the bus lines from the case. A similar request by the city and the three city commissioners, was denied.

Evans and Boney contended that on last Feb. 22 they were forced to move from a front seat to a rear suit aboard a Crichton bus by order of a police officer, who threatened them with arrest.

Lawyers confer on children's arrest

ATLANTA — The Rev. Fred Shuttlesworth declined to reveal their new in last identity.

Thursday from Birmingham and conferred with lawyers imported from Virginia by the Southern Christian Leadership Conference.

The conference included the SCLC chief, Wyatt Tee Walker; Ben Holt of the firm of Jordan, Dawley and Holt of Norfolk, Va.; Jim Wood, public relations director of the Southern Christian Leadership Conference, and an unidentified attorney.

Rev. Shuttlesworth's three children were arrested a fortnight ago in Gadsden, Ala., while enroute by way of Greyhound Bus from Montgomery, Tenn. to Birmingham. The children were detained overnight in the Gadsden jail during which time the younger daughter was slapped and Fred, Jr. was choked.

Last week the Birmingham integration leader appealed to the Southern Christian Leadership Conference to conduct a full-scale investigation of what he termed a "... flagrant abuse of my children's civil liberties."

Already the NAACP executive secretary, Roy Wilkins, and the national office of the Congress of Racial Equality (CORE) have been notified of the facts in the case. There is strong indication that a nationwide boycott may be called against the Greyhound Bus Company soon.

Shuttlesworth in a prepared statement for the press indicated that "We are filing multiple damage suits." Attorney Holt when quizzed about his role in the case merely commented his firm had been employed. He declined to elaborate on specifics. Walker of SCLC remarked "we admittedly have a strong case. Eyewitnesses to the arrests have voluntarily indicated their willingness to testify in behalf of the Shuttlesworth children."

Shuttlesworth Plans Complaint To Police

The Montgomery Advertiser
BIRMINGHAM (AP)—A Negro integrationist said Thursday he probably will complain to Gadsden city, police and federal authorities about treatment his children received at the hands of Gadsden police.

Three teen-aged children of the Rev. F. L. Shuttlesworth were taken off an interstate bus here Tuesday night after the driver said they caused a disturbance.

Shuttlesworth said one of his daughters, Ruby Fredricka, 15, claimed she was struck twice by an officer while they were being questioned at the police station.

Police Chief G. H. Diggs of Gadsden replied:

"That's a damn lie. My officers said the kids didn't give them any trouble. The police had no cause to hit them. We will use such force as necessary in making arrests, but none was necessary in this case."

Shuttlesworth, a Baptist preacher and president of the Alabama Christian Movement for Human Rights, said he didn't know yet which federal agency he will complain to.

Those arrested were Patricia Ann, 17, Ruby Fredricka, and Fred Lee, 13.

Police Commissioner Mark Mashburn of Gadsden said the three were arrested because they made an "intentional effort to create a situation that would evoke a breach of the peace."

Shuttlesworth also said he was given a speeding ticket by a highway patrolman inside the city limits of Attalla, adjacent to Gadsden. He denied that he was speeding.

Shuttlesworth Children On Bond— Gadsden Releases 3 In Bus Mixing Case

GADSDEN, Aug. 17 (AP)—The three children of Negro integrationist Fred L. Shuttlesworth of Birmingham today were released from jail on bond pending a hearing for disorderly conduct.

The oldest, Patricia Ann, 17, charged a uniformed police officer slapped her sister, Ruby Fredricka, 15, at least twice and nearly choked her brother, Fred Jr., 13, of long standing, denied publicity to death while they were being held. He said "I have never told my children to sit in the front of the bus I respect their rights to the heated comment 'it's a damn sit where they chose.'"

Bonds Denied
Several years ago, Shuttlesworth was beaten by a group of white men when he attempted to enroll the children in white Birmingham schools. He has continued his school integration efforts without success through the Alabama Pupil Placement Law.

Shuttlesworth also attempted an unsuccessful Negro bus boycott of Birmingham city buses and more recently has been involved in voter registration for Negroes. He also is appealing a fine and jail sentence resulting from a Negro sit-in demonstration at several downtown Birmingham lunch counters last Spring.

Shuttlesworth rushed to Gadsden from Birmingham last night with several other Negroes but his bail bonds were denied because they were defaced and improperly made out. Other bail bonds had to be checked out at the county courthouse to see that they were signed by property owners.

Driver Calls Police
Police Lt. Jesse Adams said the three were sitting in the front of the bus when it pulled in from Monteagle and Chattanooga and the bus driver called police. Adams said he asked the children to move to the rear of the bus and they were arrested when they refused.

Patricia was charged with disturbing the peace and the other two were turned over to juvenile authorities. A hearing was set for Sept. 6 in the County Court here.

Police Commissioner Mark Mashburn said "it appeared" the children "were making a deliberate and intentional effort to create a situation that would evoke a breach of the peace and cause a serious disturbance."

Shuttlesworth, an integrationist

Gadsden Police Say—

Negroes Were Arrested For Own Protection

Birmingham Post-Herald
Sat. 8-20-60
GADSDEN, Aug. 19 (AP)—The arrest of three Negro teen-agers, which the Justice Department says it is investigating, was made as much for their own protection as anything else, the police chief of Gadsden said today.

Chief G. H. Diggs said the Negro youths were taken into custody after a crowd of white and Negro persons gathered at the bus station Tuesday night.

"We were afraid there might be some trouble," said Diggs. "Nothing actually happened but we were afraid it might lead to hostile action."

'Bus Driver Complained'
Gadsden police arrested two daughters and a son of the Rev. F. L. Shuttlesworth, a Birmingham Negro minister after an interstate bus driver complained of a disturbance on the bus.

"The bus driver said they had been unruly since leaving Chattanooga," said Diggs. "The driver said they were noisy and wouldn't quiet down so he called police."

The civil rights division of the Justice Department announced in Washington yesterday that it will investigate to see if the youths' civil rights were violated.

Asked To Move
Police Commissioner Mark Mashburn said earlier that police officers asked the three to move from seats in the front of the bus. But he said the seating did not figure in the arrests.

The three were released Wednesday. The oldest, Patricia Ann, 17, was freed under \$300 bond. She is charged with disturbing the peace.

The other two, Ruby, 15, and Fred Jr., 13, were released in custody of their parents as juveniles pending a hearing.

Shuttlesworth said they were en route from Monteagle, Tenn., to Birmingham, after attending a workshop at the Highlander School.

Shuttlesworth children jailed in Gadsden

The Birmingham News
Wed. 8-17-60
GADSDEN, Ala., Aug. 17 (AP)—Three teen-aged children of a Birmingham Negro integration leader were in jail here today as the result of an incident on an interstate bus.

Police said the three were seated in the front of the bus and refused to move to the rear.

The three are the children of the Rev. F. L. Shuttlesworth, Baptist minister and president of the Alabama Christian Movement for Human Rights.

Police Commissioner Mark Mashburn said all three were arrested because they made "an intentional effort to create a situation that could evoke a breach of the peace."

POLICE Commissioner Mark Mashburn said the three were not arrested because of the seating. He said:

"It appears that the parties were making a deliberate and intentional effort to create a situation that would evoke a breach of the peace and cause a serious disturbance."

He declined to elaborate on what the disturbance was about.

Both Mashburn and Circuit Solicitor Charles Wright said the cases would be transferred to county court.

WRIGHT SAID Patricia Ann Shuttlesworth, 17, was charged with disturbing the peace and her bond fixed at \$300.

He said the other two were juveniles and turned over to county court which handles juvenile cases here.

Shuttlesworth identified the other two as Ruby Fredricks Shuttlesworth, 15, and Fred Lee

Shuttlesworth, 13. The three were traveling from Monteagle, Tenn., to Birmingham when the driver, who was not identified, stopped here and made a complaint to police last night.

MASHBURN SAID Police Lt. Jesse Adams and Sgt. Homer Lee Garner tried to persuade the three to move to the rear of the bus before making the arrests.

Shuttlesworth said he carried bail bonds from Birmingham when he came to seek release of the children Tuesday night.

He said the bonds were refused because they had been defaced and improperly made out.

Shuttlesworth children freed after jail stay

Washington Post
Thu. 8/18/60
GADSDEN, Ala., Aug. 18 (AP)—Three teen-aged Negro children were released from jail yesterday after being held overnight as the result of an incident on an interstate bus.

The three are the children of the Rev. F. L. Shuttlesworth, Birmingham Baptist minister and president of the Alabama Christian Movement for Human Rights.

THE OLDEST child, Patricia Ann, 17, was freed on \$300 bond after being booked on a disturbing the peace warrant. Her trial was set for Sept. 6.

Circuit Solicitor Charles Wright released the other two, both juveniles, to the custody of their father. Wright said he said he acted in the absence of County Judge W. W. Rayburn, who normally handles juvenile matters. He said a date for a hearing for the juveniles will be fixed later.

The three were en route to Birmingham from Monteagle, Tenn., when they were arrested.

Officers said they were seated in the front of the bus and refused to move to the rear.

Negro leaders sue Connor, chief of police

BY DAN ROPER
News staff writer

Two Negro integration leaders yesterday entered suits against Commissioner Eugene Connor and Police Chief Jamie Moore asking a \$97,000 judgment, and an ending of the "odoriferous practice of intimidation of Negroes."

The suit was filed in federal court by the Rev. F. L. Shuttlesworth and the Rev. Charles Billups.

The suit asked for a permanent injunction to restrain the defendants and their agents "from continuing the odoriferous practice of intimidating and seeking to intimidate Negroes who desire immediate and full integration of the races in Birmingham."

It was filed by Shuttlesworth and Billups as members of the Alabama Christian Movement for Human Rights.

THE SUIT CLAIMS the plaintiffs are being denied freedom of assembly and violation of the Fourteenth Amendment.

The litigation states that the class represented by the plaintiffs are those persons who are being intimidated "because they are Negroes who are seeking to hurriedly bring an end to the evil practices and immoral consequences of racial segregation."

For more than four years, the suit says, the plaintiffs and other Negroes have been gathering in and about the city at churches "for the purpose of seeking, finding and implementing suitable means of lawfully bringing a quick end to the noxious practices of racial segregation which taint every area of public life of Birmingham."

POLICEMEN, USUALLY IN

pairs, have attended almost all meetings of the Alabama Christian Movement for Human Rights since 1958, the suit says.

The policemen have followed the meetings beyond city limits, the suit charges.

The police commissioner, chief of police and policemen are dedicated to the preservation of segregation and are using their public offices to that end, according to the suit.

Police attendance at these assemblies has thwarted, intimidated and discouraged Negroes from attending, the suit says.

SUCH ACTION has "resulted on at least one occasion of the Negro involved being faced with violence and arrest coming from the police officers," according to the suit.

A hearing on the request for a temporary injunction is requested for Sept. 19 in the suit. Federal court officials, however, say that neither federal judge here was consulted in setting the date.

Disorderly conduct trial today for Shuttlesworth girl

GADSDEN, Ala., Sept. 6.—(P)—Trial was scheduled in County Court today for Patricia Ann Shuttlesworth, 17-year-old daughter of a Birmingham Negro integration leader, who was arrested on disorderly conduct charges three weeks ago.

The girl and two other children of the Rev. F. L. Shuttlesworth were taken into custody Aug. 16 after a bus driver complained to police.

Patricia has been free on \$300 bond. The two other children were turned over to juvenile authorities and released in custody of their parents.

POLICE SAID THE bus driver told them the children had been unruly since the bus left Chattanooga, Tenn.

Shuttlesworth said the children were returning to Birmingham from a workshop at the Highlander School at Monteagle, Tenn.

17-Year-Old Negro Faces Trial Today

Minister's Daughter Booked In Bus Incident

GADSDEN, Ala., Sept. 5.—(UPI)—Patricia Ann Shuttlesworth, 17, daughter of Birmingham Negro integrationist Rev. Fred Shuttlesworth, is to go on trial for disorderly conduct here Tuesday.

The girl and two younger Shuttlesworth children were arrested three weeks ago when they allegedly refused to leave front seats on an interstate bus. The children were en route to Birmingham from a "youth project" workshop at Highlander School in Monteagle, Tenn.

Ruby Shuttlesworth, 15, and Fred Jr., 13, were turned over to juvenile authorities and later released to their parents' custody.

The oldest Shuttlesworth girl said after her release on \$300 bond she saw a uniformed Gadsden policeman strike Ruby at least twice and choke her brother when he attempted to go to his sister's aid.

The bus driver called police when the Greyhound bus pulled in here. The children were arrested when they allegedly refused to move to rear seats after being asked to do so by police.

Shuttlesworth's Daughter Faces Busman's Charges

GADSDEN (AP)—A teen-aged daughter of the Rev. F. L. Shuttlesworth, Birmingham Negro integration leader, faces trial in county court here Tuesday on charges of disorderly conduct on a bus.

Patricia Ann Shuttlesworth was taken into custody with two other Shuttlesworth children on the complaint of the bus driver nearly three weeks ago.

Patricia Ann is 17. The other children were juveniles and were turned over to juvenile authorities.

They were released in custody of their parents.

Police said at the time of the incident that the driver of the bus, V. M. Frazier, told them the children had been unruly on the bus since leaving Chattanooga, Tenn.

The Shuttlesworth children were returning to Birmingham after attending a workshop at the Highlander School at Monteagle, Tenn. Patricia Ann is free on \$300 bond.

Police have declined to discuss the case.

Integrationists File Suit Against Police

2 Alabama Ministers Seek To Halt 'Intimidation'

BIRMINGHAM, Ala., Sept. 7.—(UPI)—Negro integrationists Rev. Fred Shuttlesworth and Rev. Charles Billups Wednesday filed suit in Federal Court against Birmingham Police Commissioner Eugene Connor and City Police Chief Jamie Moore.

Shuttlesworth said the suit seeks the "right of Negroes to peacefully assemble and plan ways of ending segregation, without intimidation by police and police supervision." He said the suit seeks temporary and permanent injunctions and compensatory and punitive damages amounting to \$97,000.

Shuttlesworth said "the practice (of police supervision) has gone on since October, 1958, as police force their ways into our meetings under orders from the commissioner and chief of police. This is intimidation and harrassment and clearly violates the rights to peaceable assembly, and as such we cannot allow it to continue."

The Negro minister said he and Billups will act as their own attorneys in the case. However, he said attorney Len Holt of Norfolk, Va., helped to prepare the suit.

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The Shuttlesworth children were returning to Birmingham after attending a workshop at the Highlander School at Monteagle, Tenn. Patricia Ann is free on \$300 bond.

Police have declined to discuss the case.

Negroes Seek Injunction On Police

Claim Connor Intimidates Groups Meeting In City

A suit was filed in Federal Court yesterday by Negro Ministers F. L. Shuttlesworth and Charles Billups seeking an injunction to restrain Birmingham police "intimidating and seeking to intimidate Negroes who desire immediate and full integration of the

races in Birmingham."

The suit, filed personally by the two Negroes without representation by attorneys, names City Commissioner Eugene Connor and Chief of Police Jamie Moore as defendants.

In addition to the injunction request, the suit asks \$97,000 compensatory and punitive damages.

Basis of the litigation was the alleged practice of Birmingham police in "forcing their way into meetings of the Alabama Christian Movement for Human Rights."

For more than four years, according to the suit, Negroes have been gathering at churches in and around Birmingham for the purpose of "lawfully bringing about a quick end to the noxious practices of racial segregation."

Police, usually in pairs, have attended almost all the meetings, the suit states.

The suit accused Commissioner Connor and Chief Moore of "using their offices to carry out their dedication to the preservation of racial segregation."

Police attendance, the suit claims, discourages Negroes from attending the meetings, and denies freedom of assembly in violation of the Fourteenth Amendment.

A hearing on the temporary injunction request has been asked for Sept. 19.

Rev. Shuttleworth, SCLC To Investigate Child Arrests

The Louisville Defender
Louisville, Ky.
 Atlanta, Ga. — The Rev. Fred Shuttleworth flew in today from Birmingham and conferred with lawyers imported from Virginia by the Southern Christian Leadership Conference.

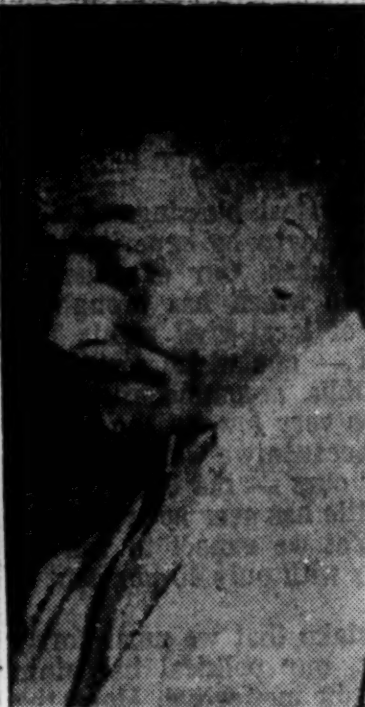
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Already the NAACP executive secretary, Roy Wilkins, and the national office of the Congress of Racial Equality (CORE) have been notified of the facts in the case. There is strong indication that a nation-wide boycott may be called against the Greyhound Bus Company soon.

Shuttleworth, in a prepared statement for the press, indicated that "We are filing multiple damage suits." Atty. Holt, when quizzed about his role in the case, merely commented his firm had been employed. He declined to elaborate on specifics. Walker of SCLC remarked "We admittedly have a strong case. Eye-witnesses of the arrests have voluntarily indicated their willingness to testify in behalf of the Shuttleworth children." Walker declined to reveal their identity.



Shuttleworth

Rev. Shuttleworth Featured Speaker At U. E. Convention

Nashville, Tenn.
Nashville, Tenn.
Sept. 9-9-60
 NEW YORK — One of the Negro people's outstanding young leaders in the continuing fight for full equality for all citizens will be a featured speaker at the 25th annual International Convention of the Independent United Electrical, Radio and Machine Workers of America (UE) to be held next week at Atlantic City, New Jersey, it was announced today.

The Rev. Fred L. Shuttleworth, who was among the leaders of the historic Birmingham, Alabama bus strikes against segregation in 1957, will address the afternoon session of the UE Convention on Monday, September 24.

Born of a poor, working family in Alabama, the Rev. Shuttleworth earned his B.A., B.S., and Theolog-

degrees at Selma University and Alabama State College.

Both the Rev. Shuttleworth, his wife and daughter faced lynch mobs, underwent bombings and imprisonment in helping to lead the famous Alabama bus strikes of 1957 which were the initial thrusts made by the Negro people themselves towards legal implementation of constitutional guarantees against segregation.

Shuttleworth case goes to Juvenile Court

The Birmingham Post-Herald
 GADSDEN, Ala., Sept. 7 — (AP) — County Judge W. W. Rayburn has transferred the case against Patricia Ann Shuttleworth, teen-aged daughter of a Birmingham Negro integration leader, to Juvenile Court.

He set a hearing for Sept. 16 for the 17-year-old girl, charged in connection with a disturbance on an interstate bus three weeks ago. This is the same date set to hear the cases of Patricia's brother and sister, involved in the same incident.

Rayburn said Juvenile Court proceedings are closed to the public. *9-7-60*

PATRICIA ANN was released last night in custody of her parents, the Rev. and Mrs. F. L. Shuttleworth. The two other Shuttleworth children, Ruby Fredericka, 15, and Fred Lee Jr., 13, were released to their parents the day after the incident.

The three were arrested by Gadsden police Aug. 16 after being removed from a bus enroute from Chattanooga, Tenn., to Birmingham.

Rayburn said the elder girl was charged with "conduct calculated to invoke a breach of the peace of others."

He said testimony during the trial yesterday indicated the girl occupied a seat near the front of the bus and held her feet in the aisle so other passengers could not pass.

THE JUDGE SAID prosecutors also brought out testimony that the bus driver, V. L. Frazier, said he had trouble with the passenger soon after the bus left Chattanooga.

Shuttleworth said the children were en route home from a workshop at Highlander School at Monteagle, Tenn.

This school, scene of numerous integrated workshops, has come under fire from some government officials and others for alleged Communist leanings.

Birmingham Negroes Seek To Bar Police At Meetings

Montgomery Advertiser
 BIRMINGHAM (AP) — Two Birmingham Negroes today asked U.S. District court to bar police from "being continually assigned" to attend meetings of their pro-integration organization.

The suit, naming city Police Commissioner Eugene (Bull) Connor and city Police Chief Jamie Moore as defendants, also asked \$97,000 damages for police attendance at previous meetings.

The suit was filed by the Rev. F. L. Shuttleworth, president of the Alabama Christian Movement for Human Rights, and the Rev. Charles Billups, a member of the organization.

They said in the suit that the presence of policemen at meetings of the past two years was an effort to "intimidate Negroes who desire immediate and full integration of the races."

Shuttleworth and Billups contended in the suit that police attendance at meetings was denying them freedom of assembly as guaranteed by the Constitution.

They said the presence of policemen discouraged other Negroes from attending.

Shuttleworth has been active in recent years in efforts to integrate schools, buses and parks here, and has several suits pending.

He also has appeals pending on convictions growing out of a Negro demonstration on a city bus and a Negro sit-in demonstration at down-town eating establishments.

Shuttleworth Kin's Case Moved To Juvenile Court

Montgomery Advertiser
 GADSDEN (AP) — Charges against a teen-aged daughter of a Birmingham integration leader involved in a bus incident were transferred to juvenile court Tuesday.

County Court Judge W. W. Rayburn set a hearing for Patricia Ann Shuttleworth, 17, for Sept. 16. This is the same date set for a juvenile court hearing for two other children of the Rev. F. L. Shuttleworth of Birmingham.

The three were arrested by Gadsden police on Aug. 16 after being taken off a bus from Chattanooga, Tenn., to Birmingham.

Rayburn said he transferred the case to juvenile court because "the acts committed were immature in nature and immature in judgment."

"We must remember they are children and not adults."

"Children must not be used as pawns in any integration attempt."

Rayburn said prosecutors brought out testimony that the bus driver, V. L. Frazier, said he had trouble with Patricia Ann Shuttleworth soon after the bus left Chattanooga.

The judge said testimony was that the girl occupied a seat near the front of the bus and held her feet in the aisle so that other passengers could not pass.

He said juvenile court hearings usually are closed to the public.

Shuttleworth said the children were en route home from a workshop at the Highlander School at Monteagle, Tenn.

Ban Sought on U.S. Aid to Segregated Airports

The Miami Herald
WASHINGTON — (AP) —

Sen. Jacob K. Javits (R., N.Y.) sought Thursday to expand the ban on use of federal funds



for construction of racially segregated facilities at airports.

The law already prohibits the use of federal money to build segregated facilities such as

JAVITS waiting rooms, restaurants and rest rooms. Javits wants to bar use of federal funds for construction of airports which permit locally financed segregated facilities.

He announced he was introducing the proposed ban as an amendment to the independent offices money bill carrying millions of dollars for the federal airport construction aid program.

Most of the 80 million dollars the administration has requested for the airports would be used for other than terminal building construction. The Senate Appropriations Committee is to start hearings on the bill Monday.

Javits said about \$600,000 has been used from past years appropriations for construction at five segregated airports at Birmingham and Montgomery, Ala.; Meridian and Natchez, Miss., and Tallahassee, Fla. He said the airport officials complied with the law by using local funds for work on the segregated areas, and federal funds elsewhere.

He said the Federal Aviation Agency has earmarked nearly \$500,000 more from Birmingham and Tallahassee. The amendment would forbid any more federal cities to require segregated seating on local buses, the he termed illegal Jim Crow facilities on the grounds.

An Important Step

South's Color Line On Buses Wavering

The Washington Post
By James E. Clayton

Staff Reporter

Segregation on local buses which had required such segregation in the South may be going down the same legal road that led a few years ago to the



Clayton

end of primary elections for whites only.

An important but unheralded step in breaking the color line in local bus seating came last month just at the time of the Democratic National Convention. The step was the action of the United States Court of Appeals for the Fifth Circuit in ruling that the Birmingham Transit Co. cannot enforce its segregated seating rules.

The decision, which may be appealed to the Supreme Court, leaves the bus company in the position of being able to tell Negroes to sit in the back but unable to do much about it legally if they refuse. This is like the Democratic Party in the South which can legally keep Negroes from joining the Party but cannot stop them from voting in its primary.

Ordinances Repealed

What happened in Birmingham is this:

Late in 1958, after the Supreme Court ruled that it is unconstitutional for states or cities to require segregated seating on local buses, the Birmingham City Commission repealed all its ordinances

In their place, the Commission put an ordinance authorizing the bus companies to make their own rules for the seating of passengers "as are reasonably necessary to assure the speedy, orderly, convenient, safe and peaceful handling of passengers." The ordinance made a refusal by a passenger to obey a reasonable request by a bus driver about seating a breach of the peace.

The bus company then took out the movable "color boards" it had used to separate the white and Negro portions of the buses. A sign was added saying, "White Passengers seat from front; Colored Passengers from rear."

Negroes Forced Issue

A few days later, 25 Negroes marched to a bus and sat in the front. They refused to move when the bus driver asked them to. Eventually, police arrived and nine of them were arrested. They were convicted of disorderly conduct, conspiracy to commit a breach of the peace, and a breach of the peace. The sentences of seven were suspended but two, the Rev. F. L. Shuttlesworth and J. S. Phifer, drew 90 days in jail and a \$100 fine.

City Held Enforcer

Some of those who were arrested then went into the Federal District Court in Alabama seeking an order barring the company from enforcing its seating rule, and asking \$100,000 in damages. They lost their suit against the company

when Judge H. Hobart Grooms was upset by the courts. Finally, there was the pre-action by the company and the primary primary in Texas city. Without joint action, he where the Jaybird Democratic said, the bus company was a Association held its own private group which could dis-vate election to decide which criminate if it wished. candidates it would support in

This was the ruling which the Democratic primary Of the Court of Appeals reversed. course, no one ran against the It held that the bus company's Jaybird nominees.

rule against desegregated seating. That device, which kept Ne- ing was, in effect, a city ordi- groes out of the real selection nance. It said the city had of officials since the primary delegated its law-making pow- and the final election both be- er to the company. If the city came mere formalities, was cannot pass an ordinance re- knocked out in 1953.

Effect in Other Fields On local buses, the Supreme Court said, the city cannot Court has already taken the delegate power to the company first step along this path of to do it. reasoning. The Court of Ap-

"Of course, the simple com- pany rule that Negro passen- further. It is almost a good gers must sit in back and white bet that some Southern cities passengers must sit in front will now repeal all their bus seating rules, leaving the prob- ... would not effect a denial lem completely to the com- of constitutional rights if not pany. That will set the pic- enforced by force or by threat- ture for the third step. The of arrest and criminal action," trend seems to be that there is no stopping place until bus Judge Elbert Parr Tuttle seating segregation patterns which are backed up by the wrote.

But when the city passed arresting power of the state along its power to make rules are ended. and backed the rules up with More important in the long its power of arrest, the Court run, however, is the effect this said, the company possesses latest decision will have on for this purpose, the power of patterns of segregation in the city. other fields. When it calls the action of the bus company in making the rules "state ac-

Parallel to Vote Cases

The parallel to the series of white primary cases is striking. the 14th Amendment, it adds

In those, the Supreme Court another case for proponents of first said that a state cannot desegregation to cite when constitutionally forbid Negroes they argue about sit-ins and to vote in primaries. Then, demonstrations at places like when Texas gave the State Ex- stores, amusement parks, and ecutive Committee of each restaurants.

party the right to decide who Whether arrests for trespass could vote and the Committee in places like that are "state blocked Negroes, the Court action" which would be un- held this was still the action constitutional if done for ra- of the state and forbidden by cial reasons is a question the the Constitution. The same courts have not yet decided. reasoning applied as in the Birmingham case.

After that, South Carolina repealed all its laws dealing with primaries. The Democratic "Club" then kept Negroes out of its elections. This

Aug 38b 1960

GEORGIA

Airport Cafe Bias Banned In Atlanta

ATLANTA, Ga. — Segregation eating at the Atlanta Municipal Airport was banned last Wednesday when Federal District Judge Boyd Sloan ruled that H. D. Coke, vice president of the Union Protective Insurance Company of Birmingham, Ala., was entitled to the injunction he sought to stop the seating of Negroes behind a screen in the restaurant.

Mr. Coke had brought the suit after he was told he would be served only a meal behind a screen in the airport restaurant, in August, 1958, while en route to Birmingham. Judge Sloan ruled that his decision applied to all other Negro travelers who use the facilities of the local airport.

Other Negroes have been refused service there except on a segregated basis, which most of them refused to accept.

THE JUDGE declared that he was bound by decisions of the U. S. Supreme Court and the Fifth U. S. Circuit Court of Appeals and had to rule in favor of Mr. Coke.

Attorneys for Mr. Coke were Donald L. Hollowell of Atlanta and Peter D. Hall and Orzell Billingsley Jr. of Birmingham, Ala. The judge's order said, in part: "Under the facts in this case, the court holds that the conduct of Dobbs Houses, Inc., is as much state action as would be similar conducted of the city of Atlanta, itself, and that the discrimination practiced by Dobbs Houses, Inc., in refusing to serve Negroes except upon a segregated basis, is violative of the plaintiff's rights as a Negro citizen under the equal protection provision of the 14th Amendment. Plaintiff is entitled to injunctive relief as prayed."

Insurance Executive Sues

Segregation At Atlanta's Airport Is Ruled Illegal

ATLANTA — Segregation of the restaurant and other facilities at the Atlanta Municipal airport is unconstitutional, a U. S. District court judge asserted in a ruling on Wednesday.

Judge Boyd Sloan took the step to desegregate the airport in upholding a complaint filed by H. D. Coke a Birmingham insurance executive, who said he was barred from the regular dining area and offered a table behind a screen in the ear of the restaurant on Aug. 4, 1958.

THE COURT'S opinion stated in part:

"The discrimination practice by Dobbs Houses, Inc., in refusing to serve Negroes except upon a segregated basis is violative of plaintiff's rights as Negro citizen under the equal protection provision of the 14th amendment. Plaintiff is entitled to the injunctive relief as prayed."

The suit was directed at the city, Mayor William B. Hartsfield and the managers of Dobbs House. The lease held by Dobbs House does not permit the city to regulate its management, the defense maintained.

Rules Atlanta Airport Bias Unconstitutional

ATLANTA. — (UPI) — Federal Judge Boyd Sloan ruled Wednesday that segregated restaurant facilities at Atlanta's municipal airport are unconstitutional and issued an injunction in favor of Negro plaintiffs.

In a ten-page ruling Sloan said "the discrimination practice by Dobbs Houses, Inc., in refusing to serve Negroes except upon a segregated basis is violative of plaintiff's rights as Negro citizen under the equal protection provision of the Fourteenth amendment. Plaintiff is entitled to the injunctive relief as prayed."

The suit seeking desegregation of the Dobbs House facilities at the huge airport terminal was brought by Birmingham Negro insurance executive H. D. Coke against the city of Atlanta, Mayor William B. Hartsfield and the Dobbs House management.

Coke said in his suit he was denied permission to sit in the regular dining room and was offered a "table for Negroes" at the rear of the restaurant behind a screen on Aug. 4, 1958.

Coke sought an injunction restraining the defendant from making any distinction based upon color in regard to services at the Atlanta airport terminal or the restaurant there.

The defendants contended that the space in the airport terminal occupied by Dobbs house was leased to the restaurant and that the lease did not give the city the right to control its operation.

Court Orders Airport Cafe Desegregated

ATLANTA (UPI) — Federal Judge Boyd Sloan today ruled segregated restaurant facilities at Atlanta's municipal airport unconstitutional and issued an injunction in favor of Negro plaintiffs.

In an 10-page ruling, Sloan said the discrimination practice by Dobbs Houses, Inc., in refusing to serve Negroes except upon a segregated basis is violative of plaintiff's rights as a Negro citizen under the equal protection provision of the 14th Amendment.

The suit seeking desegregation of the restaurant at the huge airport terminal was brought by Birmingham Negro insurance executive H. D. Coke against the city of Atlanta, Mayor William B. Hartsfield and the Dobbs House management.

Coke said he was denied permission to sit in the regular dining room and was offered a "table for Negroes" at the rear of the restaurant behind a screen on Aug. 4, 1958.

Coke sought an injunction against any distinction based upon color in regard to services at the airport terminal or the restaurant there.

The defendants contended that the space occupied by Dobbs House was leased to the restaurant and that the lease did not give the city the right to control its operation.

Lift Atlanta Airport Bias

ATLANTA — Judge Sloan of the Federal Court has issued a decree granting Negroes the right to eat anywhere they please in the Atlanta Airport restaurant.

They had been served behind a screen as a policy of Dobbs Houses Inc., until H. D. Coke, Birmingham Negro insurance executive, was refused service. He brought the suit which was won on Jan. 20.

In other Georgia civil rights action, U. S. District Judge Hooper gave final approval to a revised version of a grade-a-year school integration proposal to begin in the 12th grade in September.

The judge made his decision contingent upon action by the Georgia Legislature.

11 Students In Augusta Arrested After Protests

AUGUSTA. — (SNS) — The city of Augusta felt the wave of Negro protests against segregation currently sweeping the south as 11 Negroes were arrested for taking front seats on three busses. The 11, including one girl, posted \$30 bond each.

The Negroes, believed to be students of Paine College, boarded the busses simultaneously in an organized move. The drivers pulled over and called police. There was no disorder, police reported.

This is the first organized protest of segregation in Augusta. However, a Negro soldier was fined \$55 for sitting in a white waiting room while traveling through here recently.

Man Is Arrested For Roughing Girl On Bus

Sat. 4-23-60 P. 1
An adult white man was jailed Friday afternoon after he had manhandled an 11-year-old girl on a trolley because he apparently didn't want her to occupy the same seat as he did, police said.

Arrested and held in lieu of a \$300 bond was a man police identified as James Elton Long, 35, of Jupiter, Fla. Long was booked for disorderly conduct, assault and battery on a minor. Patrolman O. O. Anderson said he was told that the white man was already on the trolley and seated when the young child boarded the bus and sat beside him on the first seat immediately behind the trolley operator.

The trolley was going into downtown Atlanta from the Pine St. garage at the time the incident occurred, police said.

The little girl, identified as Desdemonia Jones, 11, sat on the same seat with Long when she boarded the bus. Police quoted Long as saying he told the girl to move further back "because there were plenty of seats in the bus."

The little girl apparently balked, police said, and Long then pushed her towards the back of the trolley as the bus rolled towards the intersection of Boulevard and Decatur St. The trolley operator contacted his route on in Marietta and Broad streets where police were finally summoned.

The assault and battery case against Long was set for arraignment in Records Court at 2 p. m. Monday.

Forced From Buss Seat At Knifepoint

Sat. 4-23-60 P. 2
ATLANTA, Ga. — Approximately 250 students from Paine college staged a massive demonstration against segregation, May 2, when they boarded city buses on all routes in the city and attempted to desegregate them.

Eleven students were arrested and two were assaulted, otherwise the demonstration was regarded as peaceful.

The students rode the buses for nearly two hours before police began making arrests. One female student was pushed from her seat by a white man next to whom she was sitting. Another student was forced to move at the point of a knife.

The arrested students were taken to the police barracks on Ninth and Reynolds sts. They were charged with disorderly conduct and placed under \$30 bond each.

Local Negro citizens posted cash bonds for the students.

The students registered their concern about ending segregation and discrimination earlier in February in a conference which they had requested with the mayor of the city.

Later, in an open letter to the citizens of Augusta, the students of Paine appealed to all local citizens to join them in the fight against segregated schools, buses, and other public places.

In response to this effort, the mayor agreed to form a biracial committee to deal with the student's concerns.

The delay in forming the committee was another reason why the students began their demonstration on the buses.

Blond gets off light; judge berates girl he attacked

The Afro-American, Baltimore, Md. Sat. 6/11/60
ATLANTA, Ga. (NNPA)—An Atlanta white man was fined \$50 and given a six-month suspended sentence in Criminal Court Wednesday after he had admitted shoving an 11-year-old colored girl, who refused to obey his command that she move to a rear seat of a trolley last month.

In passing sentence, Criminal Court Judge Charles Bruce told James Elton Long, 35, that he should not have taken the law into his own hands if he had a legitimate complaint to make.

Long was charged with assault and battery on Desdemonia Jones, who boarded a trolley on April 22 and sat on the same seat Long was occupying behind the motorman.

THE CHILD testified that Long told her to leave the seat and move to the back of the trolley "where you belong." She said she refused to move and Long then shoved her.

Long said he just gave the girl a "little push" on the shoulder after she refused to move. He denied that he struck her.

Judge Bruce, in sentencing Long, lashed out at the girl. He said the girl was "obstinate, headstrong and hard-headed." The Federal District Court here ordered Atlanta's busses and trolleys desegregated in January, 1959.

Three Florida A&M Students Victims Of Dixie Custom

WAYCROSS, Ga. — Apparently afraid to perpetrate bigotry in Florida, a bus driver waited until he was in Georgia to have police terrorize three defiant Florida A&M University students.

The trio, whose dignity and knowledge of Supreme Court rulings told them they could sit anywhere they desired on the bus, were headed for a YMCA meet in North Carolina.

They are Robert J. Warren and Lonrenza Brown, both of Tampa and Gwendolyn P. Ferguson, of West Palm Beach.

The incidents were perpetrated

on June 4, the trio said.

They related that after refusing the bus driver's order in Jacksonville, Fla., to leave front seats and go to the rear, Brown and Warren were able to travel to Folkston, Ga., before anything happened.

At this hamlet, the bus driver had Folkston police arrest the two men after another refusal to move to the rear.

The police, hesitant to place charges on the two, held them for a short time and then rushed the two scholars back to the bus, Brown and Warren recalled.

After re-boarding the bus, the two students were able to continue the trip until the bus reached Waycross.

There, Georgia Highway Patrolmen entered the bus and demanded:

"Are you going to move to the back or go to jail?"

Firmly voiced "No's" resulted in the second arrests of the two young men. Miss Ferguson also was taken into custody.

After about 45 minutes, the troopers also released them, the trio said.

The bus had left, however, and as a result the three students had to wait several hours for another bus.

Bus Passenger Given Suspended Sentence

Atlanta Daily World *Atlanta, Ga.*
Thurs. 8-4-60
**Lawyers Charge Driver Violated
I.C.C., Officer Acted Illegally**

By JOHN BRITTON

Recorders' Court Judge Ed Brock disregarded defense contentions of an illegal arrest and assessed a 120-day suspended sentence Wednesday against a woman interstate bus passenger who refused Saturday to occupy an "assigned" seat.

Assenting his opinion that "there was involved in the case loud, boisterous talking, nothing more," Brock judged the young woman guilty of disturbance and resisting arrest and levied the maximum 60-day sentence on each count and then suspended the sentences.

Brock twice overruled defense motions to dismiss the charges against the woman on the contention that the arrest of the defendant was illegal and that she, thus, should not have been held accountable for alleged acts that transpired after the "illegal arrest."

The defendant at the Recorders' Court arraignment Wednesday was identified in court records as Miss Gladys T. Bell, 22, a Cleveland, Ohio federal government employee.

Patrolman E. C. Davidson, main prosecutor in the case, testified Wednesday that he arrested Miss Bell Saturday night after she allegedly began talking "loud and boisterous."

BACK SEAT

The white patrolman said he entered a Greyhound Bus at the local terminal when the bus driver, identified as Bud Shell, complained that a passenger was on his bus who refused to move back to her "assigned" seat.

Davidson testified that Miss Bell was asked to move to the long rear seat at the back of the bus in his presence, and that she refused to move from her place in a seat immediately in front of the spot where the driver had instructed her to go.

When she refused, the patrolman said, he threatened her with arrest and asked her again. Then he said, Miss Bell was placed under arrest

teenage white girl who, the driver admitted, had made no complaint of the arrangement in his presence. Miss Bell said the young girl had saved the seat for her after another passenger left the bus at Atlanta.

Judge Brock several times interjected during the hearing that the questions and subsequent testimony was apparently aimed at revealing what he called "segregation."

The judge said further that he was not going to rule on any "segregation" and that he would not allow his court to be used as the springboard for a possible civil action.

Brock further ordered the defense attorneys, Mrs. Romae Turner Powell and Donald L. Hollowell, to confine their questioning to an area seeking evidence strictly pertaining to the two charges against Miss Bell, disturbance and resisting arrest.

Hollowell and Mrs. Powell disagreed with the judge several times on his rulings. Hollowell contended that the basic cause of arrest was the seat assignment.

"Your honor could not possibly construe this as only a disorderly conduct and resisting arrest case," Hollowell pleaded. "How can you restrict this case to actions that followed an illegal arrest?" the lawyer asked.

Mrs. Powell, in a stronger appeal, said the bus driver of an interstate commerce vehicle had no right to make any assignment of any seat, "particularly on the basis of race."

HAD NO RIGHT

"The officer created a situation whereby his presence was a threat. He tried to make her do something she didn't have to do. The officer shouldn't have gone on the bus for that purpose," Mrs. Powell said.

Mrs. Powell cited the 1959 federal court bus desegregation decision and contended that "the Williams case voided the right of any Atlanta policeman to make an arrest because a person refuses to

move to an assigned seat."

assigned seating. She said the Williams desegregation case made it illegal for any Atlanta policeman to enter a bus for the purpose of enforcing seating rules.

Brock insisted that segregation and desegregation had no place in the case against Miss Bell. But Attorney Hollowell insisted that the events in the case were a "chain reaction" and could not be "cut off here (at one point) and then taken on one isolated point."

"The driver was violating the Interstate Commerce Commission law," Hollowell contended, "and he had no right to create a situation that was illegal."

Referring to an official police report of the incident, both Hollowell and Mrs. Powell noted that there was no mention in the official document of any loud or boisterous talk on the part of Miss Bell.

The arresting officer testified that Miss Bell was talking loud when he told her that she was under arrest and would have to go with him to the outside of the bus.

Judge Brock said again as he reached the beginning of his ruling that he didn't see the relevancy of desegregation rulings and bus company rulings to Miss Bell's case.

Hollowell then asserted that "since the court doesn't feel bound by the decision of the federal court at this before it (Hollowell had with him a copy of the bus desegregation order for the judge's inspection) I ask the court to have consideration for the young lady and her brother (Her 12 year-old brother was also on the bus)."

Brock, an alternate judge sitting on the bench in place of a regular Recorders' Court judge, then found Miss Bell guilty on both charges and meted a 60-day suspended sentence on each count, "providing there is no further violation of city ordinances."

Augusta Gets Bus Suit Against Bias

AUGUSTA (UPI)—Five Negro students filed a federal suit here seeking desegregation of city buses, it was revealed Wednesday.

The plaintiffs also asked \$10,000 damages for the "inconvenience and humiliation" they were caused when arrested last May 2 during an attempt to ride in the white section of an Augusta Coach Co. bus.

Federal District Court officials said the suit was filed Tuesday by Atlanta attorney D. L. Hollowell. It was transferred to the district court in Savannah for trial.

The desegregation and damage suits were filed against Augusta, Augusta Coach Co., and Roy Harris, an arch segregationist who also is secretary and attorney for the line.

The five Payne College students bringing the action were identified as Henry Taylor, Thomas Snowden, William Chambers, Jimmy Dukes and Silas Norman.

Eleven Negroes were arrested following the May 2 incident and fined \$45 and court costs for violating the city ordinance providing for segregated seating on public conveyances.

5 Payne College Students Sue for Bus Integration

AUGUSTA (AP)—Five Payne College students Wednesday filed suit with the U.S. District Court for \$10,000 damages and for an order to give them bus integration privileges.

Named as defendants are the

City of Augusta, Mayor Millard

A. Beckum, Police Chief F. B.

Green and the Augusta Coach Co.

Roy V. Harris, secretary and

attorney for the Augusta Coach

Co., expressed no prior knowledge

that a suit was forthcoming.

Mayor Beckum also was not

aware of any suit at mid-day.

The five Negroes are Henry

Taylor, Thomas Snowden, Wil-

liam Chambers, Jimmy Dukes

and Silas Norman, who contend

that they were "inconvenienced

and humiliated" in a May 2 bus

incident.

Pakistani Officials Snubbed by 'Mistake'

Racial 'Boo Boo' in Georgia

By Trezvant W. Anderson

ATLANTA, Ga. — "It was all

a mistake," was the way the top

Georgia officials explained the

racial "faux pas" they committed

on Wasir Ali, minister of eco-

nomics of the Pakistani embassy

in Washington, D. C., after their

subordinates had summarily re-

fused to allow the Pakistani min-

ister and his family to stop over-

night at a Georgia state park re-

sort.

The red-faced Georgians almost

went berserk trying to find ways

to assure their dark-skinned

guests (also guests of the U. S.

State Department) that their

trivials had not meant to embar-

THEY WERE turned down by

the park superintendent because

he thought they might be mis-

taken for Negroes and trouble

would ensue. Therefore, he re-

fused them admission to the

motel. The embarrassment car-

ried on to the point of checking

in Washington, D. C., after their

subordinates had summarily re-

visiting guests were foreigners.

Then the apologies began to

pile up. Mr. Ali and his family

were most conservative and al-

lowed their personal feelings to

be ignored. They continued their

tour minus racial indignities.

Negro Deplores Jax Outbreaks

Non-Violence Held The Best Strategy

By PHIL MEYER

Herald Staff Writer

Jacksonville Negroes should

not "have fought back in the

outbreak of racial violence over

sit-in demonstrations there this

week, the Rev. Martin Luther

King said Wednesday.

"It is urgent for Negroes to

keep to a plan of non-violence,"

he said. "The Jacksonville in-

cident makes it more urgent,

than ever."

Dr. King, who gained fame

three years ago as leader of

the Montgomery, Ala., bus

boycott, was here for the In-

terracial Training Institute of

the Congress of Racial Equal-

ity.

Now living in Atlanta, he is

one of the leaders in the move-

ment of non-violent resistance

to segregation.

"The first thing a non-vio-

lent resister realizes is that he

may be the recipient of vio-

lence," he said. "But he does

not retaliate."

In Jacksonville, the sit-in

demonstrations at department

store lunch counters were halt-

ed after violence erupted last

Saturday.

The demonstrators "did the

right thing by bringing a tem-

porary halt to the sit-in," said

Dr. King. "But it should only

be a temporary halt."

He pointed out that sit-ins

and other non-violent activi-

ties have brought about de-

a Florida law permitting res-

taurant managers to evict un-

desirable customers.



Herald Staff Photo by Doug Kennedy

Dr. King

... 'no retaliation'

"No moral man can be obed-

ient to an unjust law," he said.

The diehard segregationist

who uses the same excuse to

defy the Supreme Court de-

cision banning school segrega-

tion is different because "he

tries to subvert the law," he

said.

"But if you are willing to

suffer the consequences of vio-

lating the law, you aren't try-

ing to subvert it, but express-

ing the highest respect for it."

That's what the CORE train-

ees — especially those who re-

fused bond and spent 10 days

in jail — were doing, he said.

Dr. King said the current

sit-in movement in the South

is largely due to "the snail-

like pace" of school desegrega-

tion.

"This movement grew out of

impatience.

"All our gains have come

through legal and moral pres-

sure. This must continue."

11 Negroes Are Arrested In Bus Push at Augusta

AUGUSTA (AP)—Negroes staged the first organized antisegregation protest here Monday, boarding three city buses and taking seats in front.

The bus drivers pulled over and stopped and called police, who took 11 Negroes off the buses and jailed them on disorderly conduct charges. All the arrests were made at approximately the same time. Bond was set at \$30 each. Names of the Negroes were not immediately learned but it was believed they were students at Paine College here, a Negro school.

There was no disorder. One of those arrested, a Negro girl, told newsmen she had no comment. Negro spectators who watched the arrests also had no comment. Police made no statement immediately.

The only previous racial incident here recently was the conviction of a Negro soldier who sat in a white waiting room while traveling through here about two weeks ago. He paid a \$55 fine.

Future Of Bus Case Uncertain

By JOHN BRITTON

Defense attorneys Thursday still had no reports on whether or not they intended to appeal a judge's ruling Wednesday convicting a young woman interstate bus passenger who was arrested Saturday after she refused to occupy an "assigned" seat.

Leading defense counsel, Mrs. Romae Turner Powell, was reportedly out of the city Thursday and could not be reached for comment then regarding the possibility of an appeal of the Recorder's Court decision Wednesday.

However, Mrs. Powell, reached at her home late Wednesday night, said she was not "altogether decided" if she would appeal the 120-day suspended sentence meted to her client by Judge Ed Brock Wednesday following an arraignment in Recorder's Court.

The purpose of an appeal in the case of Miss Gladys T. Bell, 22, according to informed sources, would be mainly aimed at clearing up the defendant's record of the criminal charges.

The possibility of a civil suit was also put to Mrs. Powell Wednesday night, but again she said she wasn't in a position at the moment to comment on Miss Bell's plans along that line.

Miss Bell was convicted Wednesday of disturbance and resisting arrest charges growing out of her refusal Saturday night to take a seat on an interstate bus that had been "assigned" to her by a white bus driver.

The incident occurred at the Greyhound bus station in downtown Atlanta about one hour before midnight. Miss Bell was arrested on two charges, and her 12-year-old brother, traveling with her, was put in "protective custody" of juvenile authorities.

Patrolman E. C. Davidson testified in court Wednesday that he arrested Miss Bell after she began talking in a "loud and boisterous" manner when he backed up the white bus driver's demands that Miss Bell move back to an "assigned" seat.

The patrolman alleged that Miss Bell was talking "just a tone below a scream" and that he forcibly removed her from the bus when she refused to budge from her seat on the bus.

Miss Bell denied using anything other than a "civil" pitch in discussing the seating situation with Davidson and the bus driver, Bud Shell, of Rte. 1, Daisy, Tenn.

She said she "ignored" them most of the time and said nothing, and offered that contention as proof that she never raised her voice.

Miss Bell further denied that she resisted arrest. She said she attempted to tell the policeman that her 12-year-old brother was asleep out of sight on the furthest rear seat of the bus and that she didn't want to go off and leave him.

The young Cleveland, Ohio postal worker said Davidson wouldn't listen when she told of her sleeping brother and continued to push her out the bus door and onto the sidewalk.

Miss Bell was traveling from Nashville, Ga., to Cincinnati, Ohio, and was on a rest stop in Atlanta when the seating incident with the bus driver and the policeman occurred.

Miss Bell's attorneys pleaded with Judge Brock that the young woman was victim of an illegal arrest and requested subsequent action.

should not be held to her account.

Brock observed that defense attorneys had injected what he called the "segregation" issue in the case, and he said he refused to rule on that issue. "Involved in this case is loud, boisterous talking, nothing more," Brock ruled.

Associate defense attorney Donald L. Hollowell argued that the alleged loud talk was an isolated entity and could not be severed from the cause of the trouble. He said the cause of the trouble was the "illegal arrest."

Miss Bell's three pieces of luggage were lost when they continued on with the bus even though she was detained in Atlanta. She said she had nothing more than what she was wearing in court Wednesday. She blamed the loss of her clothes on the policeman, saying he would not allow her to tell him that she had more baggage on the bus.

The young woman said she had been due back to work last Monday and that her detention in Atlanta may cost her the job she holds as a federal employee.

She also complained that her detention in Atlanta had put her to uncounted-on expense for food and board. She said all money used in Atlanta was borrowed and that she would have to pay back her benefactors.

It could not immediately be learned whether or not Miss Bell was still in Atlanta Thursday. One person close to the case reportedly did not know if Miss Bell was still in the city.

The person closest to the case was not in the city Thursday and could not be contacted regarding the young woman's whereabouts.

Officials at the place where Miss Bell assumed residence after being released from jail on bond reported Thursday that the Cleveland woman had checked out late Wednesday night.

Trial postponed in Pro-American bus seating case

ATLANTA, Ga. (NNPA)—Court action has been delayed against a young woman interstate bus passenger who was forcibly taken off a bus by Atlanta police after she refused to take a seat assigned to her by a white bus driver.

The passenger, Miss Gladys T. Bell, 22, of Cleveland, Ohio, was scheduled to have answered to two charges in Recorder's Court Monday, but her trial was delayed on the motion of her attorney, Mrs. Romae Turner Powell. Mrs. Powell told Recorder's Court Judge James E. Webb that she had been detained the morning of the trial. She asked for a two-day postponement until she could make an investigation.

Miss Bell was to have gone on trial Wednesday afternoon on charges of disorderly conduct - disturbance and disorderly conduct - resisting arrest.

PATROLMAN E. C. DAVIDSON said he arrested Miss Bell after making an investigation at the Greyhound Bus Station and finding that Miss Bell had refused to occupy an "assigned" seat.

Davidson said Miss Bell was asked in his presence to move to her assigned seat and that she refused to do so. He said Miss Bell refused the assigned seat and refused to get off the bus even after he placed her under arrest and warned her that he would have to use "necessary force" to remove her if she would not walk out under her own power.

The officer forcibly removed her from the bus, took her to the call box and called the police patrol. The seat was assigned to Miss Bell when she boarded the bus in Macon, Ga.

Suit Seeks Integrated Cabs Here

A suit to desegregate Atlanta's taxicabs was filed in federal court here Thursday by a Norfolk, Va., Negro.

The plaintiff, Len Holt, also sought \$99,999.03 in damages.

He was joined in the suit by Wyatt Tee Walker, executive director of the Southern Christian Leadership Conference, pro-integration organization headed by the Rev. Martin Luther King Jr.

DENIED SERVICE

Walker said he filed as an individual. The plaintiffs acted as their own attorneys.

The suit alleged that Holt was denied service by several cabs at the Atlanta airport on Aug. 30.

Holt said in the suit that one driver told him "the city won't let me carry you."

ALLEGES INSULT

The suit alleged that cabs are segregated by "various customs, rules and regulations" of the city. It called the practice "insulting, humiliating and nauseating . . . an undue burden on all forms of commerce" and a denial of equal protection guaranteed by the 14th amendment.

Holt declared in the suit that earlier, on Aug. 30, he had given a pledge at a Virginia meeting of the Petersburg and Hopewell Improvement Assns. "to refuse to accept racial segregation in any form unless completely unavoidable."

Driver "Assigned" Seat

Woman Held

In Refusing

Seat On Bus

Ohio Woman Must Face Trial In Atlanta Court

By JOHN BRITTON

Court action was delayed Monday against a young woman interstate bus passenger who was forcibly taken from a bus by Atlanta police late Saturday night after refusing to occupy a seat "assigned" to her by a white bus driver.

The woman passenger, Miss Gladys T. Bell, 22, of Cleveland, Ohio, was scheduled to have answered to two criminal charges in Records Court Monday, but her trial was delayed on the motion of defense attorney, Mrs. Romae Powell Turner.

Mrs. Turner told Records Court Judge James E. Webb that she had been retained by the defendant the morning of the trial. She asked the court for a two-day time-extension until she could make a further investigation.

Webb agreed to the delay and re-set trial of cases against Miss Bell until 2:30 p. m., Wednesday. She will be charged with disorderly conduct-disturbance and disorderly conduct-resisting arrest.

Patrolman E. C. Davidson said he arrested Miss Bell and set her down for arraignment after making an investigation at the Greyhound Bus Station Saturday night and finding that Miss Bell had refused to occupy an "assigned" seat.

Davidson said Miss Bell was asked in his presence to move to her assigned seat in the interstate bus, and that she refused to do so.

The policeman said he advised her that the operator of the bus, identified as Bud Shell, of Daisy, Tenn., "had the right to refuse her passage, and that she would have

stay pending the outcome of the case against his older sister.

Davidson said he was called to the scene by the dispatcher at Greyhound Bus Station. Davidson said he was then approached by the bus driver, Shell.

The patrolman said the bus driver "told me he had a passenger whom he had assigned a seat and that this passenger was now in another seat and refused to go in the seat which was originally assigned to her in Macon, Ga."

Davidson said the bus driver asked that Miss Bell be removed from his bus, "if she would not take the original seat." Davidson said he went aboard the bus with the driver and heard Shell order Miss Bell to sit in the "assigned" seat if she wished to continue her trip homeward.

Defense attorney, Mrs. Turner, did not get into action Monday because of unfamiliarity with certain aspects of the case, but it is believed that a defense will be the fact that certain seating practices on interstate transportation was outlawed by federal courts several years ago.

Miss Bell was still confined to City Jail late Monday afternoon, but arrangements were said to have been in the making then to bail the Cleveland woman out of jail pending the Wednesday court hearing.

Bus Dispute On

City Carrier

But No Arrests

An interracial dispute over seating was reported on an Atlanta trolley Wednesday morning, but police said, they removed the principals from the vehicle and sent them on their way without having to make an arrest.

Patrolman G. W. Coffee said he was stopped Wednesday morning while walking his beat on Peachtree St. by trolley operator E. C. Robbins who told him a Negro man and white man were arguing over seats.

Coffee said he entered the trolley and was directed to a 64-year-old white man who was identified as O. C. Caswell, of Hapeville, Ga. and an 18-year-old Negro youth, identified as Jerry Thornton, of a Henry St., S. W. address.

When he entered, Coffee said, the white man was sitting on the first seat facing the front of the trolley on the right side. The officer said Thornton was seated directly behind Caswell.

Coffee said witnesses told him that the white man had asked

Thornton to move back so that two white women, who were standing, could occupy his seat.

Coffee said he checked the bus when he entered and observed that several seats were vacant farther back on the trolley.

Coffee said he learned that Thornton had refused Caswell's suggestion that he move back. The officer said some words were exchanged between the two men, but that no profanity or any physical contact was involved in the dispute.

The patrolmen said he asked both men to leave the bus and that they both followed his instructions with no further words passed. Coffee said he called for advice to police headquarters and that a superior officer advised that if no law had been broken they both should be released.

Coffee said he obtained two emergency transfers "which I gave to them so I would not be liable for the 20 cents fares which they had paid on the bus I took them of."

No arrests were reportedly made in the case, and both men later went their separate ways, police said.

"Out Of Town Vandals" Get Buford Blame

Wed. 8-31-60 P. 1

Buford, Ga. (UPI)—Vandals from out of town were blamed Tuesday with starting this manufacturing town's first serious racial trouble, a rocks-and-sticks fight that landed 41 white and Negro youths in jail.

Judge Walter Greer put 25 white youths and 15 Negroes — all under 20 years of age — under \$100 bonds and ordered their cases before the Gwinnett County grand jury.

All of the youth except five Negroes pleaded guilty to charges of disorderly conduct and rioting.

Police Chief Billy Burge said no one was injured in the fighting that broke out Monday night on Buford's main street.

Burge said the fighting started after one group of white youths began pelting cars with rocks. The air soon was filled with rocks and sticks and some fighting ensued.

Buford Police Sgt. James Husley testified at the hearing that gangs of Negroes and whites were involved.

Ernest Austin state highway patrol radio operator at Gainesville, Ga., said fast action by authorities halted the altercation before "it really got started."

Allen said race relations in Buford "have always been very good and I don't think the Negroes were responsible."

Atlanta Trolley Intimidation Reports Noted

Several complaints regarding alleged intimidations on Atlanta trolleys have reached the WORLD offices during recent days, especially from persons who ride from the Negro areas into other areas for work.

Most callers want to know exactly what to do in cases of alleged intimidation. The most recent case, reported Wednesday morning, was made by a woman who said she had been menaced by a bus driver.

In such cases, it has been pointed out, the driver's badge number should be obtained. The badge containing his number is usually on his cap. His name should be obtained, if possible, from an identification card sometimes found directly above the driver's seat at the front of the trolley.

The number of the bus should be obtained, the bus route should be remembered and the time of incident complained of should be jotted down, as well as the names of possible witnesses to the incident, if any.

All of this should be done immediately, and before leaving the bus where the incident occurred. Then the incident should be reported directly and immediately to supervising officials of the Atlanta Transit System, as well as other complaint agencies since the system has been desegregated under federal court order.

Desegregate Cabs, Suit Here Asks

Suit was filed in federal court Thursday to desegregate taxi-cabs in Atlanta.

The suit was filed in U.S. district court by Wm. Tee Walker, of Atlanta, and J. Holt, of Birmingham, Ala. Holt also participated in an attempted desegregation of the Birmingham airport restaurant Wednesday night.

The suit named Atlanta Mayor William B. Hartsfield and Chief Herbert T. Jenkins as defendants.

Walker and Holt, who represented themselves in the case, said their action was a "long overdue suit" seeking to change Atlanta's cabs from "for white persons only" and "for colored persons only" to "just plain cabs."

No hearing date was set for the case which probably will be heard before Judge Boyd Sloan.

Most cab companies in the city have no racial signs but the larger firms have a policy of segregation. Many of the suburban companies transport passengers without regard to color.

BIRMINGHAM GIRL

The Montgomery Advertiser
Negro Demands \$9 Million
Montgomery, Ala.
Damages From Greyhound
Wed. 11-18-60

ATLANTA (AP) — A young Negro girl Tuesday filed a \$9 million dollar damage suit against Southeastern Greyhound Lines Inc., claiming she was arrested after refusing to sit in the back of a bus.

Negro leaders announced the federal suit was the first step in a drive to eliminate segregation in Greyhound's rest stops and terminals throughout the South.

The suit was filed in the name of Patricia Ann Shuttlesworth, 17-year-old daughter of the Rev. F. L. Shuttlesworth, Birmingham Negro integration leader.

The girl and two other Shuttlesworth children were involved in the arrest incident at Gadsden, Ala., last April 16 while returning to Birmingham from Chattanooga, Tenn.

The suit alleges the driver of the bus requested police at Gadsden to have the Negro girl move to the back of the bus and that when she refused, she was arrested.

The Southern Christian Leadership Conference said the suit was "the first step in a proposed program to eliminate racial segregation in the many terminals and rest stops throughout the South."

Shuttlesworth is secretary of the conference, an anti-segregation organization headquartered in Atlanta and headed by Rev. Martin Luther King Jr.

The statement said the second step would be to call for a nationwide boycott against all Greyhound buses. "The objectives of the boycott would be to give equal opportunity of employment to competent drivers who are members of minority groups such as Negroes, Mexican-Americans, Chinese - Americans, etc.," it added.

The Christian Leadership Conference said another aim of the boycott would be "to arouse the conscience of the Greyhound bus company so that they will direct those employees who agree with the principles of the White Cit-

izens Councils, the Ku Klux Klan and other racial hate organizations, to keep them from enforcing their personal views as to where Negroes should sit and eat when using the Greyhound facilities."

Montgomery file
 Shuttlesworth was quoted in the statement as saying "this may be one of the most important steps taken in public transportation where racial segregation is involved."

"Poor people mostly use the buses. On a train or plane today, Negroes are not forced to accept Jim Crowism."

for Arrest in Atlanta

Ohio Girl, PO Clerk May Sue Greyhound

(Courier Press Service)

ATLANTA, Ga.—Atty. Donald L. Hollowell has told The Courier that Gladys T. Bell, 22, a Negro post office clerk from Cleveland, Ohio, may sue the Greyhound Bus Lines for having been arrested here last week in a disagreement over seating on a bus en route to Cleveland.

Miss Bell was given a 120-day suspended sentence for the arrest in City Recorder's Court, on charges of disturbance and resisting arrest. Attys. Romae Turner Powell and Holloway represented Miss Bell.

The incident occurred when Miss Bell left the rear seat of the bus where she had been riding to take a seat just in front of it that had been vacated by a white passenger. The bus driver, a Bud Shell, of Dayton, Ohio, told her to move back to her original seat and she refused. He then called a policeman who ejected her from the bus when she refused to leave the seat.

POLICEMAN E. C. Davidson said he "got her by the arm and behind the neck and marched her off the bus." The bus driver claimed he had "assigned" her to a seat on the bus.

Miss Bell said she had sat on the back seat for six hours holding a fellow passenger's baby in her arms and was tired when the seat ahead became vacant. She sat in the seat next to a teen-age white girl, who did not object to her sitting there.

Attorneys Powell and Hollowell cited the rules of the Interstate Commerce Commission regarding the non-segregation on buses, especially in interstate transportation, but Judge Ed Brock ignored their plea and assessed the penalty against Miss Bell. She had been held in jail overnight, pending trial. Her 12-year-old brother accompanied her.

IN A CASE in Florida last year, a Negro couple from Jamaica, B.W.I., was awarded heavy damages against the Trailways Bus Lines in a suit resulting from disagreement over a seating arrangement.

Disciplinary Action Taken Against Greyhound Driver; Caused Shuttleworth's Arrest

Birmingham, Ala.—The Greyhound bus company has taken disciplinary action against the driver who caused the arrest of three teen-age Negroes on a bus in Gadsden, Alabama, recently.

This was learned through letters being sent by Greyhound officials to residents of Alabama who protested to the company about the treatment of the children.

Caused Arrest

The driver caused the arrest of the Negroes on Aug. 16 because they refused to sit in the rear of a Greyhound bus when traveling from Highlander Folk School, Monteagle, Tenn., to Birmingham.

The trio arrested are children of the Rev. and Mrs. Fred L. Shuttleworth, Birmingham civil rights leader. The 3 were found guilty of "delinquency" in Juvenile Court at Gadsden on Sept. 16th, but they are appealing.

Letter of Protest

Shuttleworth is an officer or director of the Southern Christian Leadership Conference and the Southern Conference Educational Fund, both Southwide civil rights organizations. These groups called for protests to the Greyhound.

The company wrote as follows to the Rev. Francis X. Walter, pastor of St. James Episcopal Church, Eufaula, Alabama in reply to his protest: "Greyhound did not initiate prosecution or any action against the Shuttleworth children. The Greyhound driver operating the bus on which the Shuttleworth children rode has had disciplinary action taken against him for violating our instructions not to enforce segregation on our buses."

Shuttleworths File More Suits

BIRMINGHAM, Ala.—Miss the younger girl was slapped Patricia Ann Shuttleworth, 11, and that Fred, jr., was "nearly who recently refused to ride choked to death" when he segregated on a Greyhound came to her aid. Wyatt Tee bus has filed suit to force Birmingham Walker, SCIC's director, said Ingham airport limousines to "we area amazed that this take Negro passengers. She asked the U.S. District matter of interstate travel was Court to restrain the limousine settled so many years ago."

owners "from continuing the "Multiple damage suits will noxious practice of denying the be filed against the Greyhound use of the airport limousine Lines, the City of Gadsden, and service to Negro persons who the arresting officers," he use the facilities of the airport added.

The suit by Miss Shuttleworth against the Birmingham airport limousine co., was filed through her father who at the same time filed another suit to open the airport eating facilities to Negroes. Defendant in Mr. Shuttleworth's suit is Dobbs House, which operates the airport restaurant.

Miss Shuttleworth said she was refused a ride in the airport limousine after her arrival at the airport on Sept. 16 with her attorney, Len Holt of Norfolk, Va. They were on the way from Atlanta, Ga., to Gadsden, Ala.

Her suit and that of her father against Dobbs charge that denial of riding and eating facilities is in violation of their rights under the U.S. Constitution, and specifically the Fourteenth Amendment. Each suit seeks \$33,000 in compensatory and punitive damages.

Of their conviction which already has been appealed to a higher court, the Rev. Martin Luther King, president of the Southern Christian Leadership Conference, declared: "Alabama Justice has dropped to a new low."

Commenting on the charge of the children who spent the

Terminal Restaurant

Jim Crow Is Argued

Atlanta Daily World
Atlanta, Ga.
NAACP, Virginia Attorneys
Thurs. 10-13-60
Clash Before High Court

P. 138
By CHARLOTTE G. MOULTON
(United Press International)
WASHINGTON — Attorneys for Virginia and the NAACP clashed in the Supreme Court Wednesday over whether privately leased restaurants in interstate bus terminals must serve Negro travelers.

Thurgood Marshall, representing the National Association for the Advancement of Colored People, said bus terminal restaurants are established on the same basis as rest rooms and ticket windows.

They are intended for "commerce," he said, and "cannot escape the commerce clause in the constitution."

Special counsel Walter E. Rogers of Richmond countered that operation of a restaurant is not closely enough related to interstate commerce to be an integral part of it.

Speaking for Virginia, Rogers said a bus company does not necessarily have to provide eating facilities.

The case was brought to the court by Bruce Boynton, a student at Howard University, Washington, D.C., who tried to eat in a white restaurant at the Trailways station in Richmond enroute to his home in Selma, Alabama.

CONVICTED OF MISDEMEANOR
The assistant manager had Boynton arrested when he insisted on service after it was refused. The Negro student was later convicted of a misdemeanor and fined \$10 in Richmond police court.

Virginia law makes it a misdemeanor for anyone to "go upon or remain upon the lands or premises of another after being forbidden to do so by the owner."

In answer to a question by Justice William J. Brennan, Jr., Rogers said the restaurant has now been desegregated. Marshall said that "although Negroes are now being served, the signs are still up."

Marshall said he could win the case merely by relying on the Interstate Commerce Act, which requires non-discriminatory service by carriers.

Greyhound Bus Lines Discipline Driver Who Caused Children To Be Arrested

The New York Times
BIRMINGHAM, Ala. — The Greyhound bus company has taken disciplinary action against the driver who caused the arrest of three teenage Negroes on a bus in Gadsden, Alabama, recently. This was learned through letters being sent by Greyhound officials to residents of Alabama, who protested to the company about the treatment of the children.

The driver caused the arrest of the children on August 16th, because they refused to sit in the rear of a Greyhound bus, when traveling from Highlander Folk School, Monteagle, Tenn., to Birmingham.

The trio arrested are children of the Rev and Mrs Fred L. Shuttlesworth, Birmingham civil rights leader. The three were found guilty of "delinquency" in Juvenile Court at Gadsden on Sept 16th, but they are appealing.

The Rev Mr Shuttlesworth is connected with the Southern Christian Leadership Conference and the Southern Conference Educational Fund, both Southwide civil rights organizations. These groups called for protests to the Greyhound.

The company wrote as follows to the Rev Francis X. Walter, pastor of St James Episcopal Church, Eufaula, Alabama, in reply to his protest:

"Greyhound did not initiate prosecution or any action against the Shuttlesworth children. The Greyhound driver operating the bus on which the Shuttlesworth children rode has had disciplinary action taken against him for violating our instructions not to enforce segregation on our buses."

Accuse IC Railroad Of Seat Bias

Chicago Defender
Chicago, Ill.

NEW ORLEANS — According to Bruce C. Neal, retired New Orleans public school teacher and World War I Veteran, the authorities of the Illinois Central Railroad in New Orleans are trying their best to Jim Crow Negroes by directing them into one particular coach.

Neal says he was seeing his wife on the train leaving New Orleans and was told to get into one particular car. He passed through another car and noted its evident comfort and convenience and stopped there.

The train conductor and porter very loudly demanded that he move to another car. Neal said he refused to move his wife. The conductor reportedly told him she would have to pass through Mississippi and he would not be responsible for her safety in that state.

Local police were called but refused to arrest either Neal or his wife. Mrs. Neal said that she made the trip without further incident.

Greyhound terminal is desegregated

LOUISVILLE, Ky. (AP)—
The cafeteria of the Greyhound Bus Station, fulfilling an intention disclosed last year, has desegregated eating facilities and now serves colored indiscriminately.
The station recently remodeled the street-side dining room. Store officials said last July the dining facilities would be integrated after the remodeling.

Prior to integration, the station maintained a "separate" for "colored only" lunch room in the rear of the premises. The waiting room, however, was desegregated several years ago.

CITIZENS GROUP ASKS BAN ENDED

The Times-Picayune
Transit Segregation En-
forcement Aim

New Orleans La.
City officials were asked Fri-
day to have federal court drop
an injunction which prevents
them from enforcing segrega-
tion on streetcars and buses.

The request came from the
Citizens Council of Greater New
Orleans. Its chairman, Dr. Em-
mett Irwin, said that the in-
junction "should fall on its own
weight" since the state laws on
which it rests have been re-
pealed by the state Legislature.

A resolution to this effect was
adopted by the Citizens Coun-
cil board Thursday night and
copies were sent, Dr. Irwin
said, to Mayor deLesseps S.
Morrison, city councilmen, the
chief of police and officials of
New Orleans Public Service,
Inc.

The resolution offers the back-
ground of a federal court in-
junction which permanently en-
joins and restrains Morrison and
the other defendants "from en-
forcing state laws requiring
plaintiffs and other Negroes to
submit to segregation in the
use of buses and streetcars."

ASKS MAYOR TO ACT

Further, the resolution states
that the state laws which formed
the basis for the injunction were
repealed by Acts 261 and 262 of
the 1958 Legislature "and there-
fore the grounds and the reason
for which the injunction was
granted no longer exist."

The council stated that the
injunction should be recalled
and set aside and Mayor Mor-
rison and the other defendants
"should file the necessary pro-
ceeding in the federal court to
have this injunction lifted."

This should be done, states
the resolution, "so that thou-
sands of unwilling free people
here should not have to submit
to forced racial integration in
the use of buses and streetcars
under the coercive powers of a
federal court injunction."

Dr. Irwin said Friday: "Mayor
Morrison had stated in his cam-
paign speeches that he has

maintained segregation for 14
years, even on the buses and
streetcars, and that he favors
separation of the races.

SAYS IT 'CAN BE DONE'

"Now you know and I know
that there is no separation on
the buses, and we're giving him
an opportunity to do something
about it, in a perfectly legal
maneuver."

"Our legal advisors have told
us that it can be done, on legal
grounds."

Dr. Irwin said that the citi-
zens council "sounded out" city
council members several months
ago on the resolution's proposal
"but they didn't indicate they
were interested in doing any-
thing about it."

He added: "They've certainly
had enough time to do some-
thing about it."

Dr. Irwin said that "once the
injunction is removed" the city
could pass an ordinance pro-
viding the rules and regulations
for the seating of passengers.

HELP OFFERED

"They don't have to call it
segregation; they can call it
anything they want," said Dr.
Irwin. "We'd be happy to help
them in their planning."

Dr. Irwin said that "there are
a great number of Negro people
who don't want to sit with the
white people, just as there are
white people who don't want to
sit with the Negroes."

He said that petitions signed
by "over 50,000 citizens of the
city" had been submitted to the
mayor and city council request-
ing that they take action in hav-
ing the federal injunction drop-
ped.

Attacked by Whites, Sues RR

BATON ROUGE, La. — Mrs.

Minnie Lovett has filed a damage
suit for \$27,724 in the district
court here for injuries and hu-
miliation she alleges were sus-
tained at the hands of white
passengers on the Kansas City
Southern railroad train en route
to New Orleans.

Mrs. Lovett names the railroad
company as defendant, charging
that its employees failed to pro-
tect her and two children from
insults and physical injury at the
hands of white passengers on
the train.

The incident occurred Feb. 10,
1959, Mrs. Lovett charges, after
she had boarded a train in Baton
Rouge, bound for New Orleans.

SHE SAYS that the train was
crowded and she asked a con-
ductor to find seats for her as
well as her two minor grand-
children. The conductor placed
them in a coach occupied by
numerous white persons and five
other Negroes.

Some of the white passengers
were drinking "intoxicating li-
quors" and called her vile names,
she says. In addition to humilia-
tion and abuse, one of the passen-
gers threw an empty whiskey
bottle at her which narrowly
missed her, Mrs. Lovett says.

One of the passengers then as-
saulted her and injured her she
contends.

The petition does not mention
any of the white passengers by
name.

Mrs. Lovett asks judgement
against the railroad company for
humiliation and injuries.

Negroes Still Riding In 'Jim-Crow' Trains

The Pittsburgh Courier
NEW ORLEANS — Train em-
ployees of the Illinois Central
Railroad are arbitrarily herding
interstate and intra-state Negro
passengers into jim crow coaches,
a retired Orleans Parish school
teacher complained to the De-
partment of Justice here.

The complainant, Bruce C.
Neale, is a veteran of World War
I.

Mr. Neale said he had gone to
place his wife aboard the I. C.
Railroad's train, "The Creole,"
last week when she left to visit
an ill relative in Little Rock, Ark.

He said the train porter was
assigning all Negroes to a spec-
ial coach regardless of their des-
tinations. Mr. Neale said he took
his wife into the car where only
whites were seated. The porter,
he said, was displeased.

"The train conductor rush-
ed to the scene and became in-
furiated because I objected to
the jim crow practice, Mr.
Neale said. "He threatened to
have me arrested then ordered
me off the train."

Mr. Neale said he informed the
conductor that he expected his
wife to be accorded the courtes-
ies accorded all American citi-
zens. The conductor, according
to Mr. Neale, replied in a sinister
tone, "You know this train has
to pass through Mississippi."

MR. NEALE said even after
he complied with the conductor's
order and left the train, the con-
ductor told him to "get off the
platform" and to "shut up."

"When I refused to leave the
platform," Mr. Neale said, "He
left and went to the station."

He returned with a police of-
ficer and pointed to me, but the
officer did not say or do any-
thing."

Mr. Neale complained to the
special agent, the trainmaster
and finally a representative of
the Illinois Central Railroad.

Charge Denial Of Service Was Ordered By Management

New Orleans, La.
A double barrage of federal suits was filed in New Orleans this week in an effort to wipe out racial discrimination against Negroes at the Moisant International Airport. *38b*

In the first suit filed, Thomas P. Harris, a Chicago insurance executive and National Insurance Association president, was the plaintiff and named the City of New Orleans Mayor desLesseps S. Morrison, the New Orleans Aviation Board, the manager and the supervisor of the facility; Harrell T. Shalett, Eli Dallis, L. D. LeCour, Hugh M. Willerson, Jr. and William B. Reilly, II, all members of the aviation board, Interstate Host, Inc., a corporation which operates the concessions at the airport.

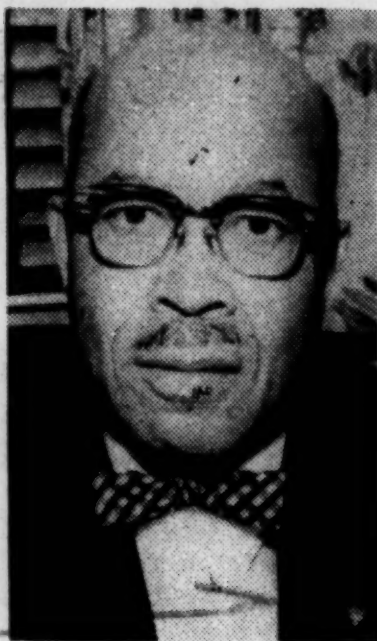
Harris charged that on March 2, 1960 he boarded a Delta Airlines flight on a first-class ticket from Jackson, Mississippi to New Orleans for transfer to Eastern Airlines and continue to Houston, Texas.

While at the airport, Harris declared that he planned to have dinner and cocktails and upon entering the concessionaire, he first went to the bar and to the dining area and at both places he was refused service.

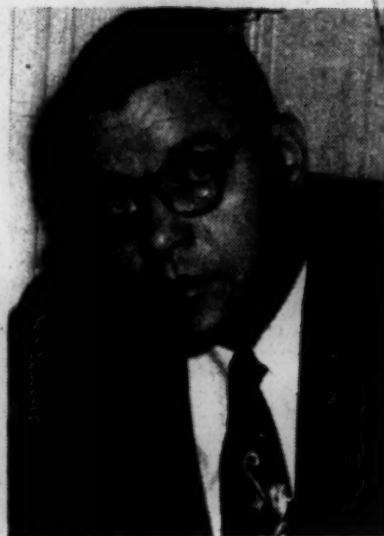
In the bar which operates under the name "Le Bar," a male attendant or bar tender approached the plaintiff and told him "The manager has instructed me not to serve you." He then proceeded to the dining room or "Le International Room," where a hostess told

him: "I am sorry, but I can't serve you." When he asked for a preliminary injunction against the defendants, refused, the attendant declared: "I am under orders not to serve colored."

The attorneys representing Samuel L. Gandy, Dean, Law-Harris are Chris Rogersonless Memorial Chapel of Dil- and P. F. J. Dejoie, Jr. on lard University. The trio the law firm of Dejoie and Rog- claimed that service had been gerson, 2107 Dryades Street, refused by the facilities at the New Orleans. A hearing has airport on November 21, 1959. been set for Wednesday, June 1. A permanent injunction is also by Judge Herbert W. Christen- being asked and a hearing date berry, at which time the plain- had not been set.



T. P. HARRIS



DR. WARREN E. BRADEN



DR. SAMUEL L. GANDY



DR. WILLIAM R. ADAMS

The suit was filed by Attorneys A. P. Tureaud, Marcel Trudeau and Ernest Morial.

The defendants are the Interstate Hosts, Inc. and the aviation board which serves as manager and supervisor of the terminal, and Mayor Morrison together with the aforementioned named members of the board. *New Orleans, La.*
Meanwhile Senator Jacob K. Javits, (Rep. - N.Y.), has asked Congress to cut off federal funds for airport terminal con-

struction where there are segregated waiting rooms, restaurants and rest rooms. The Javits bill would prevent federal aviation agency funds from being used as long as any part of the airport was segregated because of race or color.

If passed, the legislation would affect such southern cities as Birmingham, Ala., and Tallahassee, Florida airports which have segregated facilities. The sum of \$500,000 is presently being sought for the completion of the construction of the two airports.

Louisiana judge balks airport case despite precedent

NEW ORLEANS — Despite previous rulings to the contrary, Federal District Judge Herbert W. Christenberry denied an injunction which would force the Moisant International Airport Restaurant here to serve all persons without regard to race.

He ruled that a suit filed by Thomas P. Harris, Chicago insurance executive, should be tried on its merits and that no temporary relief was necessary.

Mr. Harris is suing for alleged damages received when he was denied service at the restaurant.

Attorneys for the restaurant operators argued integration at the airport restaurant would cost \$250,000 in loss of business. They told the court the injunction would exceed the damages done to Mr. Harris.

JUDGE REFUSES NEGRO APPEAL

New Orleans, La. Step Rejected in Moisant Restaurant Case

A motion for a preliminary injunction involving service to a Negro at a Moisant International Airport restaurant was denied Wednesday.

Federal district Judge Herbert W. Christenberry denied the motion in the case of Thomas P. Harris, Negro, Chicago insurance executive.

Harris' attorney, Chris Roggeron Jr., sought the injunction.

Harris charged the city of New Orleans, which leases the restaurant, with racial discrimination. He said that on March 2 he was refused service at the Coffee House, airport restaurant.

Also named as defendants in the suit were the city aviation board and International Hosts Inc., restaurant operator.

Herman Barnett and Sigmund W. David, attorneys for the restaurant, told the court that the plaintiff Wednesday was arguing the merits of the case, whereas the purpose was to hear the injunction.

1960

RIGHTS ON BOTH SIDES

Barnett and David said that if the temporary injunction was granted, the restaurant would lose the majority of its trade from white persons.

"The restaurant staff would be reduced from 156 to 56," said David. "Service would be cut down. In view of the rental the restaurant couldn't stand this."

Counselors for the defendants said it is estimated that the airport restaurant would lose about \$250,000 per year, if the restaurant were integrated racially. Over the lease period with the city, this would run into millions of dollars, they said.

Judge Christenberry said it was his feeling that if the city would lose the restaurant lease, it would be very damaging to the city, both for white and Negro taxpayers.

"There are rights on both sides, not just one side," asserted the judge.

He told Roggeron that he should be "realistic" in considering the effects of an integrated restaurant.

Roggeron contended that it was "conceivable" that Negro trade would make up for lost white trade.

CONSTITUTION CITED

Alvin Liska, city attorney, also addressed the court, citing the airport as a valuable asset to the city. He said taxpayers of New Orleans have paid millions of dollars into the airport.

"One of the assets is this concession," said Liska.

Liska further contended that the plaintiff has shown no injury or damage to himself by being refused service in the Coffee House.

"I doubt if this man has been back in the city of New Orleans," added Liska.

Judge Christenberry told the attorneys that members of both races are served at the snack bar in the airport and food from the Coffee House can be served through this bar.

The plaintiff's attorney contended that the refusal of service was a violation of the United States Constitution and the United States supreme court ruling.

Judge Christenberry said that if the restaurant was obligated to serve food to the Negro race, "it would wreck the business," based on affidavits received from the defendants.

"The New Orleans Negro as well as the white person has a substantial investment in this facility," he said. "Wreckage of the business would harm New Orleans citizens."

Attorney Given 10 Days to File Answer in Baton Rouge Bus Suit

NEW ORLEANS — The city of Baton Rouge will file a response within the next 10 days to an NAACP motion for summary judgment in a suit seeking integration of city bus transportation facilities.

U.S. district Judge Herbert Christenberry set the 10 days deadline Monday. Parish attorney R. Gordon Kean Jr. said he will "probably take the full 10 days" to file the response.

Kean said it will probably take an additional two or three weeks, after the response has been filed, for the court to make a ruling on the motion for summary judgment.

The suit for integration of city buses was filed in 1957 by a group of local Negroes, led by Rev. T. J. Jemison, pastor of Mount Zion First Baptist church.

Defendants in the suit are Mayor-president Jack Christian and several members of the city council.

A state court has upheld constitutionality of a city ordinance that provides for segregated seating. The local group, backed by the NAACP, took the case into federal court.

A. P. Tureaud, attorney for the Negro group, said summary judgment was sought because the city has not presented any uncontestable evidence against integration of the bus system.

10 Days Given To Answer Plea For Bus Mixing

BATON ROUGE (AP) — U.S. Dist. Judge Herbert W. Christenberry Monday gave the city of Baton Rouge 10 days to answer a request by Negroes for a summary court order integrating

buses here. The court's step required only a few moments of discussion in federal court.

A. P. Tureaud Sr., New Orleans, Louisiana counsel for the National Assn. for the Advancement of Colored People, asked the summary judgeship in the lawsuit pending since 1956.

It was filed originally in behalf of the Rev. T. J. Jemison and other Baton Rouge Negroes.

Parish Atty. Gordon Kean represented the city in the brief hearing.

In his original suit Tureaud argued the only issue was a Baton Rouge city ordinance which prohibits bus integration.

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LOUISIANA

Bus dispute brings \$200 fine

Joe. H. H. H.
Joe. H. H. H.
JOSEPH JOSHUA, 17, of Little Rock was fined the maximum of \$200 and costs by Circuit Court Judge William J. Kirby on an appeal of a \$100 fine and 90-day jail sentence imposed on an assault and battery charge after he was arrested for striking a 70-year-old white insurance executive who had ordered him to give up his bus seat to a white woman on Dec. 9. Judge Kirby expressed regret that the assault and battery statute did not permit the jail term to stand. *38b*

Bus Through Mississippi

Gammon Student Charges Beating

By PAUL DELANEY

A Gammon Theological Seminary student has charged that he was beaten by two officers of the law while he was an interstate bus passenger coming through Winona, Miss., Janu-

ary 8-30-60. Mississippi in my nearly nine years to have any illusions about local action," she stated. "The Till case, and now the Mack Parker case, show what is to be expected, or not to be expected, in Mississippi. 'The incident occurred in a situation where Negroes have no power. The state will inaugurate a new government Jan. 19 but nothing can be expected from him.'"

Martin said he was returning to Atlanta after spending the Christmas holidays at home when he had to board another bus in the Mississippi town, located about 90 miles north of Jackson in Montgomery County.

"I got off the bus and went to the door," Martin reported, "but the facilities for Negroes were so inadequate I went next door to a Dairy Belle stand. I went to the window and two white teenagers yelled, 'You're at the wrong place.'"

"I asked 'what's wrong with this place?' and they answered 'nobody's here' and left. They came back with Sheriff Lawrence Cain and his deputy, Arthur Henson. Cain asked, 'boy, what smart talk have you been doing around here?' I asked him what smart talk and they started clapping me around and beating me with their blackjacks."

"They told me I would have to leave by taxi and go to the next town to wait for my bus. I got the taxi and went to the next place, which was 10 miles away."

The 24-year-old Martin is enrolled at Gammon through Morehouse. He is a graduate of Grambling College, Grambling, La.

Mrs. Ruby Hurley, regional secretary of the NAACP, acknowledged that Martin had filed an affidavit. She said that it has been sent to the Washington office where it will be turned over to the U. S. Justice Department and U. S. Civil Rights Commission.

Mrs. Hurley expressed no hope that Mississippi officials would do anything about the incident. "We had too many cases in

Negro, white man convicted in bus incident

A 20-year-old Negro who sat down beside a white man on a Birmingham Transit bus, Aug. 24, was fined \$100 in Recorder's Court today and sentenced to 180 days in jail.

Oscar Jones Jr., of 2615 Fourth-av. S., was found guilty of disorderly conduct by Judge Charles H. Brown.

Brown also found Mack London, 24, of 830 Fourth-ct. W., who got into a fight with the Negro, guilty of the same charge and fined him \$25.

According to testimony, the fight started when Jones sat by London although there were empty seats in the bus.

Officers testified that when they arrived at the scene, the Negro was surrounded by a large crowd. They said they had to put Jones in a squad car for his protection.

Judge Brown overruled a motion by Negro attorneys to dismiss the case against Jones.

Convicted Negro May Appeal Case

Youth Fined For Disturbing Peace In Winona

WINONA, Miss., Aug. 29. — (AP)—A 19-year-old Greenville Negro, convicted Monday of disturbing the peace at the Winona Bus Station, may appeal the case he lost acting as his own attorney.

Justice of the Peace Lloyd Holmes convicted Johnny Frazier of disturbing the peace and resisting arrest at the Winona Bus Station Saturday and fined him \$25 and costs on each charge, for a total of \$73.50.

Montgomery County Sheriff Earl Patridge, cross examined by Frazier denied beating or kicking the young Negro and said he used only the force necessary to take custody of a person resisting arrest.

On hand for the trial was Medgar Evers of Jackson, field secretary for the National Association for the Advancement of Colored People.

After his arrest, Frazier telephoned the NAACP, and hinted the arrest may have followed Frazier's riding in the front part of the bus.

Patridge said the arrest had no connection with "his riding on a bus or where he was seated." He said he was tipped by telephone that a Negro in a blue suit was creating a disturbance and that the caller sounded like a Negro.

Holmes said after the conviction Frazier inquired about the procedure for filing an appeal to Circuit Court.

After the arrest, Patridge said the NAACP was trying to use a routine police matter and build it into a racial incident.

Negro Youth Beaten On Bus By Law Officers, He Says

JACKSON, Miss., Sept. 19. — A Negro youth went before the Mississippi Advisory Committee to the Civil Rights Commission Monday to charge he was beaten into a state of semi-consciousness for riding in the white section of a bus.

Johnny Frazier, 19, of Greenville said he was beaten by sheriff's officers last month at the Winona Bus Station after ignoring a bus driver's warning to move to a rear seat. Frazier was later convicted for disturbing the peace at the bus station, but there was no testimony in his trial as to where he rode on the bus.

The youth was accompanied to the committee meeting by Medgar Evers, state field secretary for the NAACP, who filed an affidavit protesting "the harassment of Negro citizens on public conveyances in Mississippi."

Subject To Violence Evers said Negroes "who sit where they please after paying their bus fares are subject to numerous threats, insults and even violence at the hands of law officers."

The affidavits will be forwarded to the commission in Washington by the seven-member state group, which includes two Negroes.

The Rev. Murray Cox of Gulfport, a retired Methodist minister who is chairman of the committee, said he received no answers to questionnaires sent to librarians in Mississippi regarding employment of Negroes and service to Negroes.

"I was advised that the attorney general advised against librarians answering these questionnaires," he said.

The Rev. Mr. Cox announced that attempts to gather information from registrars regarding the number of Negroes who vote in Mississippi "confirmed our suspicions that it would be utterly impossible to get official information."

However, he said an unofficial report on the voting situation had been gathered for the committee by Aaron Henry, a Clarksdale Negro who is president of the Regional Council of Negro Leadership.

The Rev. Mr. Cox appointed Dr. George Powers of Pass Christian, a white committee member, to head a subcommittee to gather information on the employment of Negroes on police forces and other agencies in Mississippi charged with administering justice.

Meeting With Committee

Meeting with the committee was Cornelius P. Cotter of Washington, assistant staff director of the Civil Rights Commission. He told members they are doing "a very good job considering the certain delicacy which you have to face in Mississippi."

The Citizens Councils have repeatedly criticized white persons who agree to serve on the committee.

The Rev. Richard Ellerbrake of Biloxi, whose name has been submitted for appointment to the committee, said he often feels "that our work might serve to solidify public opinion against Civil Rights."

The Rev. Mr. Cox, however, said the committee's work had "awakened groups favoring a more liberal attitude."

But he said there is "lots of educational work to be done in Mississippi before we can make much progress in Civil Rights."

"This is a poor season for education along those lines," commented Committee Member Robert Briscoe, a retired admiral.

FBI Probing Bus Incident

McCOMB, Miss. (Special)—McComb police chief George Guy said yesterday that Federal Bureau of Investigation agents had conferred with him over alleged civil rights violations in McComb.

The questioning came as the result of a letter received by the Civil Rights division from two Negro men and a Negro woman who claimed that a policeman entered a bus which they were riding through McComb, and asked them to move to the rear. They also charged that two "henchmen" waited outside armed with long night sticks and pistols.

Guy told the FBI agents that McComb has an ordinance requiring segregation on buses within the city. The ordinance, he said, grew out of numerous complaints to the police department.

A similar complaint was made in Jackson at the recent Civil Rights Board hearing in Jackson by the state field secretary for the NAACP.

Integration Roundup

By United Press International

A Negro teenager told the Mississippi Advisory Committee to the U. S. Civil Rights Commission Monday that he was beaten by sheriff's deputies for riding in the white section of a bus.

The youth, Johnny Frazier, 19, said he was "beaten into a state of semi-consciousness" last month at the Winona, Miss. bus station after he ignored a bus driver's warning to move to a rear seat.

Frazier, convicted of disturbing the peace at the bus station, was accompanied to the committee meeting by Mississippi NAACP field secretary Edgar Evers who filed an affidavit protesting the "harassment of Negro citizens on public conveyances in Mississippi."

NO HELP

Methodist Rev. Murray Cox, committee chairman, told the meeting that attempts to gather information from voting registrars regarding the number of Negroes who vote in Mississippi "confirmed our suspicions that it would be utterly impossible to get official information."

The committee also reported that libraries in Mississippi have refused to answer a questionnaire about services available to Negroes.

"There is a lot of educational work to be done in Mississippi before we can make much progress in civil rights," said Cox.

There were these other developments Monday:

RICHMOND, Va. — A federal judge granted an NAACP motion to add the Virginia state board of education, the state superintendent of education and the Prince Edward County board of supervisors as defendants to a suit seeking to force the county to reopen its public schools. The new defendants were given 20 days to answer charges they violated a federal desegregation order by abandoning public education and allowing a private foundation to set up schools for white students.

IN ALABAMA

BIRMINGHAM, Ala. — Rev. Fred Shuttlesworth filed a federal court suit charging that he and four other Negroes were refused service at the Birmingham airport restaurant.

LILLINGTON, N. C. — Two Indian fathers were held in contempt of court and fined for violating an order to stop classroom sit-ins by their children at all-white Dunn High school. The sit-ins stem from an effort by Indian parents to have school authorities admit their children to white high schools or provide an all-Indian school.

GAINESVILLE, Fla. — W. George Alen, 24, became the third Negro to attend the university of Florida graduate school Tuesday and took his seat along with 170 white students without incident.

In Georgia, the head of a Negro teacher organization asked the state board of education to create a bi-racial committee to investigate charges of discrimination against Negro teachers who tried to vote.

At Nashville, Tenn., a Negro group filed a federal court suit demanding integration of Davidson County schools. City schools already are integrated.

Police charge blond bus rider hit woman, broke her glasses

The Afro American Baltimore, Md.

Jan 1-2-60
CHARLOTTE, N.C. (Char-
lotte police charged Rob-
ert G. Helms, 30-year-old
blond, with assault last week
in the slapping of Mrs. Lucille
Hix, who attempted to sit be-
side him on a city bus.

The trial, originally set for
last Monday, was postponed
until Jan. 7 after Mrs. Hix's
physician informed the court
that she was physically un-
able to appear in court.

Charlotte police officers B.
C. Perry and J. D. Gunter
said that Mrs. Hix told them
that Helms struck her in the
chest and face, breaking her
glasses and that she was cut
on the side of her nose, re-
quiring several stitches at a
hospital.

KELLY ALEXANDER,
state NAACP president, indi-
cated that there was a strong
possibility that association
lawyers might represent Mrs.
Hix in a civil suit in addition
to the criminal action which
is pending against Helms.

Mr. Alexander's statement
was issued after City Coach
Lines superintendent Alvin H.
Caze said that Saturday's in-
cident was "not an isolated
one."

He said that there had been
a number of clashes in the
past, but that they had usu-
ally been between juveniles.

A Charlotte Youth Bureau

officer, Sgt. Tom Ginn, said
that police are "constantly"
getting complaints of trouble
on buses with members of
both races as the aggressors.

Mr. Alexander declared
that he saw no reason why
persons could not ride buses
together under integrated
conditions without violence.

He added that his organiza-
tion was "certainly going to
investigate" the responsi-
bility of the bus line in the
Hix incident.

This would be done, he said,
to determine why the bus

driver failed to exercise "po-
lice power" which would en-
able him to arrest anyone
starting trouble.

Man Accused Of Attack On Train

Atlanta Daily World
Atlanta, Ga.
By JOHN BRITTON

A former Atlanta college coed has filed a \$25,000 personal damage suit in U.S. District Court here charging an Atlanta man with roughing her up on a train en route to Washington, D.C., early last year.

The suit, filed by Mrs. Sallie E. Williams, now of Washington, D.C., named as defendant a white man identified as James H. Bowden, of an Atlanta address.

Mrs. Williams charged in the suit that Bowden, while both were passengers on a Seaboard Airline Railway train on January 21, 1959, jerked her from her seat by the hair and then struck her in the face with his fist.

The \$25,000 suit for damages was broken down into three classifications of damages — special damages, general damages and punitive damages.

Mrs. Williams asked for \$87.50 in special damages, \$19,912.50 in general damages and \$5,000 in punitive damages.

The plaintiff, a former Morris Brown College student and wife of former Atlanta newspaperman now employed in the nation's capital, said that the acts of the defendant caused her embarrassment and humiliation.

In addition, she further charged, the assault upon her person caused her to suffer physical disorders that, even now, she said, causes "post-traumatic headaches."

Mrs. Williams said she was on the train when Bowden and a woman companion entered the car and took a seat very near her. She said both made frequent exits from the train car and became "intoxicated" during the trip.

As the train was passing through Virginia, Mrs. Williams alleged, Bowden arose from his seat and "while standing over plaintiff who was still seated in her original seat, grabbed the hair of the plaintiff and pulled her by the hair bodily out of her seat."

Mrs. Williams said she was frightened and that she screamed. Later, she said, the defendant "again assaulted and battered the plaintiff by striking her in the face with his fist."

Mrs. Williams said that at "all times, she was attending to her own business and was acting courteously and politely and did

not in any way provoke, cause or encourage said actions on the part of the defendant.

Mrs. Williams' attorneys in the action were listed as Dovey J. Roundtree, of Washington, D.C., and Donald L. Hollowell, who is handling the action on this end.

The suit was filed here, according to the petition, because the defendant lives in Atlanta.

38b 1960

SOUTH CAROLINA

March Protesting Segregation In S.C. Staged By Negroes

The News & Courier
Charleston, S.C.
Jan. 1-2-60

GREENVILLE, S.C. (AP)—Fifteen Negroes protesting segregation staged an orderly demonstration in the white waiting room of the Greenville Municipal Airport Friday.

While about 250 other Negroes remained outside in intermittent snow and sleet, the 15 entered the main waiting room where they were flanked by a crowd of about 150 white people, about half of them police.

A resolution was read by the Rev. C. D. McCullough of Orangeburg in a clear voice, McCullough read, "We will no longer make a pretense of being satisfied with the crumbs of citizenship while others enjoy the whole loaf only by the right of a white skinned birth."

After the resolution was read, the Negroes prayed and left quietly. The demonstration was planned last March after former baseball star Jackie Robinson, a Negro, was asked to leave the white waiting room of the airport.

The Emancipation Day Prayer Pilgrimage started shortly after lunch at the Springfield (Negro) Baptist Church where a crowd of 250 Negroes heard their leaders castigate South Carolina white officials and segregation policies in general.

The featured speaker there was Mrs. Ruby Hurley of Atlanta, Southeastern regional director of the National Assn. for the Advancement of Colored People. "Integration is coming real soon, sooner than some of us realize," she said. "Stop thinking colored, start praying a bit more and start praying right. Use your mouths

and use them the right way." Calling South Carolina one of the worst states, she urged Negroes to "vote Hollings (Gov. Ernest Hollings) out so that we can get some decent government in South Carolina."

She said the Rev. J. S. Hall Jr., president of the Greenville chapter of the Committee on Racial Equality and pastor of the host church, had received threats and harassment by telephone since initiating plans for the demonstration, scheduled to coincide with the 97th anniversary of President Lincoln's Emancipation Proclamation, declaring all slaves free.

Another speaker was the Rev. H. P. Sharper, president of the South Carolina NAACP. He criticized the South Carolina press and at one point turned to a sizable delegation of white newsmen. "Everything you've got, Negroes want. We are sick of segregation. We want integration. We intend to press our claims for anything that is claimable from the Governor's Mansion on down."

The group then formed a motorcade and drove to a spot about a quarter of a mile from the airport. The Negroes walked to the airport where they were told 15 could enter. The delegation was selected and the rest remained outside in the bitter cold.

About 150 officers of every branch of the state's law enforcement were stationed at the airport. Because of fire regulations, only 265 persons were allowed inside the terminal before the 15 Negroes were allowed to enter.

Negroes March On Airport

The News & Courier
Charleston, S.C.
Jan. 1-2-60

GREENVILLE, S.C. (AP)—More than 250 Negroes congregated at the municipal airport to protest its segregated waiting rooms. Fifteen from the group walked into the white waiting room Friday under the watchful eyes of about 150 white persons, including 75 policemen. The remaining Negroes stood in intermittent snow and sleet.

The Rev. C. D. McCullough of Orangeburg, a Negro, read a resolution in the waiting room stating, "We will no longer make a pretense of being satisfied with the crumbs of citizenship while others enjoy the whole loaf only by right of a white skinned birth."

After the resolution was read, the Negroes bowed their heads in prayer. Then they quietly left.

The protest, billed as an Emancipation Day prayer pilgrimage, was planned several months ago after the former Negro baseball star Jackie Robinson was requested to leave the white waiting room at the airport.

The march followed a rally at the Springfield Negro Baptist Church where Negro leaders attacked South Carolina white officials and segregation policies in general.

The principal speaker at the rally before the march was Mrs. Ruby Hurley of Atlanta, Southeastern regional director of the National Assn. for the Advancement of Colored People.

"Integration is coming real soon," she declared, "sooner than some of us realize. Stop thinking colored, start praying a bit more and start praying right."

U.S. Appeals Court To Hear Greenville Segregation Suit

The News & Courier
Charleston, S.C.
Jan. 1-3-60

RICHMOND, Va. (AP)—Oral arguments are docketed for Jan. 15 in a South Carolina racial segregation case to be heard here before the U.S. Fourth Circuit Court of Appeals. It involves a Ferndale, Mich., man who contends he was involuntarily segregated in a Negro waiting room at the Greenville, S.C., Airport.

Anti-Segregation Move

Negroes Plan March Today On Greenville's City Airport

The News & Courier
Charleston, S.C.
Jan. 1-1-60

GREENVILLE, S.C. (AP)—Negroes plan a motorized pilgrimage to Greenville's segregated Municipal Airport Friday to "lift our voices in prayer against one of the moral evils confronting Negro travelers there."

Negro leaders emphasized the peaceful nature of the march. Local officials say they expect no trouble. Spokesmen for the demonstration said when it was announced several weeks ago that as many as 5,000 Negroes from throughout South Carolina were expected to participate. They declined to estimate Thursday how many are now expected.

The march was announced shortly after Negro baseball star Jackie Robinson was asked to move from a white waiting room at the airport terminal to one reserved for Negroes. Robinson ignored the request and remained in the white waiting room.

At that time, the National Assn. for the Advancement of Colored People had already filed an appeal resulting from a similar incident involving Richard B. Henry, a Negro who then was a civilian employe at Selfridge Air Force Base in Michigan.

Henry sought an injunction to end segregation at waiting room facilities at the airport. That was

denied by Federal Judge George Bell Timmerman Sr., and the NAACP then filed an appeal with the U.S. Fourth Circuit Court of Appeals.

The Negroes are expected to drive Friday to a point near the airport in an automobile caravan. The movement is to start following a rally beginning at 12:30 p.m. in a Negro Baptist church.

The demonstration is sponsored by the Greenville chapter of the Committee on Racial Equality (CORE) and the Greenville (Negro) Ministerial Alliance.

The Rev. J. S. Hall, president of the CORE chapter, said several leaders will probably enter the terminal building and others will remain outside.

He said those participating will then "lift our voices in prayer against one of the moral evils confronting Negro travelers there."

After the prayer ceremony, the minister added, the group will disband.

The principal speaker for the rally at the church will be Mrs. Ruby Hurley of Atlanta, Southeastern regional director of the NAACP.

Other Negro leaders scheduled to participate in the church rally include the Rev. James Herbert Nelson, a Sumter Presbyterian minister recently named to the South Carolina Civil Rights Advisory Committee.

AIRPORT RACIAL BAN PROTESTED

The News & Courier
Charleston, S.C.
Jan. 1-1-60

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While about 250 other Negroes remained outside in intermittent snow and sleet, the 15 entered the main waiting room where they were flanked by a crowd of about 150 white people, about half of them police.

A resolution was read by the Rev. C. D. McCullough of Orangeburg. In a clear voice, McCullough read, "We will no longer make a pretense of being satisfied with the crumbs of citizenship while others enjoy the whole loaf only by the right of a white-skinned birth."

After the resolution was read, the Negroes prayed and left quietly. The demonstration was planned last March after former baseball star Jackie Robinson, a Negro, was asked to leave the white

waiting room of the airport. That was denied by Federal Judge George Bell Timmerman Sr., and the NAACP then filed an appeal with the U.S. Fourth Circuit Court of Appeals.

waiting room of the airport.

The Emancipation Day prayer pilgrimage started shortly after lunch at the Springfield (Negro) Baptist Church where a crowd of 250 Negroes heard their leaders castigate South Carolina white officials and segregation policies in general.

The featured speaker there was Mrs. Ruby Hurley of Atlanta, Southeastern regional director of the National Assn. for the Advancement of Colored People.

"Integration is coming real soon sooner than some of us realize," she said. "Stop thinking colored, start praying a bit more, and start praying right. Use your mouths and use them the right way."

CRITICIZES PRESS

Another speaker was the Rev. H. P. Sharper, president of the South Carolina NAACP. He criticized the South Carolina press and at one point turned to a sizable delegation of white newsmen.

"Everything you've got, Negroes want," he said. "We are sick of segregation. We want integration. We intend to press our claims for anything that is claimable from the governor's mansion on down."

The group then formed a motorcade and drove to a spot about a quarter of a mile from the airport. The Negroes walked to the airport where they were told 15 could enter. The delegation was selected, and the rest remained outside in the bitter cold.



PROTEST AIRPORT DISCRIMINATION.—The Rev. M. D. McCollough of Orangeburg, S. C., reads a resolution in the main terminal of the Greenville Municipal airport on January 1. The prayer pilgrimage by about 250 Negroes was

carried out as a protest against airport officials' action in asking Jackie Robinson, former baseball star, and his companions to leave the white waiting room last fall.

UPI, Telenphoto

300 March On Airport To Protest S. C. Bias

Chicago Defender
Chicago Ill
GREENVILLE, S. C. — (UPI)—A group of 300 Negroes marched through chilling rain, snow and sleet to the Greenville airport in a "protest pilgrimage" against segregation at the facility.

The protest on New Year's Day, traditionally observed by southern Negroes as Emancipation Day, was directed against the airport management. An incident last October when former major league baseball star Jackie Robinson was asked to leave the white waiting room brought on the protest.

The terminal was under heavy police watch. Some 50 uniformed and plainclothes officers were present including State Law Enforcement Division Chief J. P. Strom, Greenville Police Chief P. P. Oakes and Detectives Chief L. W. Hammond. At least two members of the Greenville city council were present.

The Negroes left an automobile caravan half a mile from the airport and marched to the terminal. Airport Manager O. L. Andrews barred further entrance to the terminal building when 265 persons were inside. He cited fire regulations.

Most of the Negroes then gathered on the lawn facing the building and sang hymns. A group of 15 entered the building and read a resolution which called for an end to racial discrimination and segregation in South Carolina.

Prior to the march, the Negroes gathered at a church for a prayer service and speeches. More than a dozen speakers criticized South Carolina's political leaders, government, press and social customs.

NAACP Group Stages Protest

Of Real
Memphis Tenn
**South Carolina Airport Is
'Invaded' By 15 Negroes**

Sat. 1-2-60
After Meeting
By The Associated Press

GREENVILLE, S. C., Jan. 1. Fifteen Negroes protesting segregation staged an orderly demonstration in the white waiting room of the Greenville municipal airport Friday.

While about 250 other Negroes remained outside in intermittent snow and sleet, the 15 entered the main waiting room where they were flanked by a crowd of about 150 white people, about half of them police.

A resolution was read by the

Rev. C. D. McCollough of Orangeburg. In a clear voice, McCollough read, "We will no longer make a pretense of being satisfied with the crumbs of citizenship while others enjoy the whole loaf only by the right of a white-skinned birth."

Prayed And Left

After the resolution was read, the Negroes prayed and left quietly.

The demonstration was planned last March after former baseball star Jackie Robinson, a Negro, was asked to leave the white waiting room of the airport.

The emancipation day prayer pilgrimage started shortly after lunch at the Springfield (Negro) Baptist Church where a crowd of 250 Negroes heard Mrs. Ruby Hurley of Atlanta, Southeastern regional director of the National Association for the Advancement of Colored people say, "Integration is coming real soon, sooner than some of us realize. Stop thinking colored, start praying a bit more and start praying right. Use your mouths and use them the right way."

Governor Hit

Calling South Carolina one of the worst states, she urged Negroes to "vote (Gov. Ernest) Hollings out so we can get some decent government in South Carolina."

Another speaker was the Rev. H. P. Sharper, president of the South Carolina NAACP. He criticized the South Carolina press and at one point turned to a sizeable delegation of white newsmen. "Everything you've got, Negroes want. We are sick of segregation. We want integration. We intend to press our claims for anything that is claimable from the Governor's mansion on down."

Bus tiff starts war on seating signs

the Afro-American
Baltimore Md.
CHARLESTON, S.C. — As the result of a bus incident where an expectant mother was abused, jailed and fined, local citizens are fighting to remove the last vestiges of bus segregation here.

The incident involved Mrs. Ruth Bishop, wife of a service man and mother of five children. When she sat beside an unidentified white woman on a city bus recently, she was subjected to jeers and catcalls by white riders.

The white woman she sat beside spoke angrily to her and, she said, attempted to push her off the seat onto the floor. Mrs. Bishop expects her sixth child in March.

ALTHOUGH THE white woman objected to Mrs. Bishop sharing the bus seat with her, they both shared the back seat of a police car which took them to the police station.

There Mrs. Bishop was charged with assault and creating a disturbance. She was kept in jail overnight. In court the next morning, she was given the alternative of a 15-day sentence or a \$51 fine.

By this time, responsible colored citizens had learned of the incident. Esau Jenkins, president of the Citizens Committee, paid Mrs. Bishop's fine and saw to it that she was rushed to the U.S. Naval Hospital here for observation and, if necessary, treatment.

After two mass meetings, each attended by approximately 500 persons, a committee was formed to approach the bus company on the matter of seating.

On the committee were Mr. Jenkins; J. Arthur Brown, local NAACP president, and the Rev. B. J. Glover, pastor of Emanuel AME Church.

IN A MEETING with local transit company officials, they asked that seating signs be removed from the buses. The signs order that colored persons should seat from the rear for-

ward and whites from the front back.

Many persons disregard the signs altogether. Mr. Brown told the AFRO. However, some persons still abide by the regulation. This type of sign was made obsolete in the celebrated Fleming case of 1955.

In this case, federal courts ruled in favor of Mrs. Sarah M. Fleming of Columbia. She charged a city bus driver struck her in the stomach because of her refusal to take a jim crow seat.

Although the court ruled that racial seating was unlawful, a local court jury refused her suit for \$25,000 personal and punitive damages.

Mr. Brown said the committee asked for the removal of the signs because it was felt they maintained the segregation attitude that led to the Bishop incident.

The bus company spokesman said he was powerless to act on the request but that he would refer it to company's general counsel and board of management.

The company is designated as the South Carolina Electric and Gas Co. of Columbia.

MRS. BISHOP has lived in Charleston since October when her husband was assigned here with the submarine fleet. He is presently at sea on duty.

A local spokesman said that city papers had attempted to make it appear that she was a resident of Washington—and was, therefore, a "northerner stirring up trouble."

He continued, however, that Mrs. Bishop is a North Carolina native and lived in Washington only for the three years her husband was on duty there.

Another source said that there is a possibility of a suit against police officials in the case. He claims that state statutes prohibit the jailing overnight of a pregnant woman.

So far, no suits have been filed in connection with the incident.

Arrest Four In Fight In Bus In Greenville, S.C.

GREENVILLE, S.C. — (UPI) — An interracial fist fight broke out on a crowded Greenville city bus Tuesday and police arrested four of the participants.

Those arrested included one white youth and three Negroes. Two of the Negroes were girls.

The Negro students boarded the bus, already loaded with white students, and the fight allegedly broke out when a Negro boy demanded a white boy's seat.

There were more than 40 persons on the bus at the time, most of them students from the two schools.

Police arrested one Negro juvenile and turned him over to juvenile authorities. His name was withheld.

A white student, Jack Way Parris, 17, was charged with disorderly conduct and posted a \$30 cash bond.

Airport Case Is Continued

GREENVILLE, S.C. — A rehearing of an integration case arising from an incident at the Greenville Municipal Airport arrived at no decision in U.S. Federal District Court here Wednesday.

Both sides were ordered to submit written arguments to Judge George Ben Timmerman Sr. by Oct. 10. He will rule on two motions after that date.

White Boy Freed In Brawl In Bus

GREENVILLE, S.C. (AP) —

Disorderly conduct charges against a white youth were dismissed here Wednesday following testimony that a brawl in a city bus was provoked by a Negro boy.

Freed following the Municipal Court hearing before Judge John V. Jester was Jack Way Parris, 16.

The 15-year-old Negro boy, who was not identified, was turned over to Juvenile Court authorities. A Negro girl, Lillie Ree McMahan, 16, requested a jury trial on charges of carrying an illegal weapon (knife) and interfering with an officer in performance of his duty.

The scuffle occurred about 3 p.m. Tuesday after the Negro youth and several other Negroes boarded the bus at Calhoun Street.

Mrs. Carrie B. Cooper, a passenger, testified that the Negro boy came to the seat where Parris was sitting and told the white youth to get up.

"The boy (Parris) looked at him like he was joking," Mrs. Cooper testified. "He said he wouldn't get up and then the Negro boy told him he was tired and he'd better get up. He took off his coat and then he slapped the white boy and jerked him out of the seat."

Parris showed the court several scratches on the neck and face which he said were inflicted during the fight.

Greyhound Bus Refuses Negroes Service At Somerville

INTERSTATE COMMERCE COMMISSION GETS PROTEST FROM CORE OFFICER

NEW YORK CITY August 1:—

Protest against the Greyhound Bus Company's "refusal to offer service to Negroes and the further refusal to pick up Negroes in Somerville, Tennessee" was made to the Interstate Commerce Commission today by CORE executive secretary James R. Robinson.

Core field secretary Robert Boyd denied service by Greyhound on July 9. Boyd had traveled to Fayette County from Louisville by bus to work with the farmers facing economic strangulation for daring to register to vote. He planned to return to Louisville by bus.

However, when he approached the station in the automobile of John McFerren, chairman of the Fayette County Civic and Welfare League, the ticket agent said, "Get off my property before I shoot your damned tires off." They left quietly and peacefully.

Boyd and McFerren then moved up the road approximately a mile and waited for the bus. The driver did not stop for them. Ultimately, Mr. Boyd was forced to travel to Memphis by private automobile.

Robinson had asked Mr. F. W. Ackerman, president of Greyhound, on July 21st for assurance that this discrimination would end. CORE has not heard from Greyhound.

In his complaint to the Interstate Commerce Commission, Robinson said "In my opinion, this instance of discrimination against a Negro is the result of Mr. McFerren's leadership in the campaign to register Negroes to vote in Fayette County, Tennessee. But no matter what the cause the obligation of a public carrier to provide service to all is obvious. I do hope that you will take immediate action to end this intolerable situation."

Ruling Delayed On Bus Suit

Decision On 1905 Statute Must Come From State

High Court

By RICHARD CONNELLY
O. Z. Evers must obtain a Tennessee Supreme Court ruling before three Federal judges will determine his bus desegregation suit.

The three judges yesterday held the former Negro postal clerk's suit "in abeyance" until the state court can rule on a 1905 statute which orders segregated seating aboard "street cars" but not motor buses.

Mr. Evers boarded a public bus here four years ago and refused to sit in the rear. He filed a suit against the city claiming the 1905 statute was unconstitutional.

Point Is Raised

The suit was dismissed on the grounds Mr. Evers boarded the bus solely for the purpose of instigating litigation. The United States Supreme Court ordered the case retried during which city attorneys raised the point that the 1905 statute speaks of "street cars" and not motor buses of the type which the Negro boarded.

In a declaratory judgment the three Federal judges abstained from a decision "until the Supreme Court of Tennessee has been afforded a reasonable opportunity to construe these statutes and to declare whether they are applicable to motor buses."

The judgment pointed out that at the time the 1905 law was passed, motor buses or coaches were unknown. A state Supreme Court decision between the

state and the Nashville Baseball Association was cited as an example.

'Blue Law' Overruled

The court overruled a state "blue law" enacted in 1803 which forbade "play at any game" on Sunday as not applicable to baseball which was unknown at the time the "blue law" was passed.

The judges also stated that if the state court rules the segregation statute does not apply to motor buses, no Federal constitutional question would remain.

"Federal courts should not adjudicate (determine) the constitutionality of state enactments fairly open to interpretation until state courts can pass on them," the order said.

The three judges were John D. Martin, Marion S. Boyd and William F. Miller.

Revive Evers' '56 Memphis Bus Bias Suit

MEMPHIS, Tenn.—That irrepressible O. Z. Evers, highly controversial ex-railway mail clerk, who was fired from his job here last year for seeking a political office, is back in the news again—and once again, getting in the hair of whites who uphold racial discrimination, his "forte."

A three-judge Federal court has taken cognizance of the first act of Mr. Evers which projected him into the national spotlight as a bias fighter with independent leanings—his suit to integrate Memphis city buses. The suit was filed in 1956, has been referred to the State Supreme Court to clear the way for action by the Federal court.

To be decided by the state tribunal: are street cars and buses the same under meaning of a 1905 state desegregation law? When that law was passed, buses and coaches were unknown, since the vogue of the day was the street trolley car.

MR. EVERS, who boarded a city bus in 1956 and sat up front refusing to move to the rear was ordered to leave the bus. He then filed suit against the city and the transit company, claiming the 1905 statute was unconstitutional. The Federal judge

want to clear up that point, then they will take action.

The controversial Mr. Evers, thorn in the side of whites here ever since that act and later victim of what he called a post office "inquisition," was finally fired from his postal job, but not after having made some notable gains for Negroes here.

Evers formed the Birmingham Civic League which got the Greyhound Bus station to remove race signs from its waiting rooms here, and put many new voters on the registration books.

WHEN THE post office fired him, Mr. Evers was taken on by Jimmy Hoffa's International Brotherhood of Teamsters as an organizer. Now he is a representative of a local of the Teamsters here, dealing with the garbage collectors of the city.

U.S. court asks state court: Is a bus a streetcar?

MEMPHIS — A bus desegregation suit against the city of Memphis and the city bus lines was referred to the State Supreme Court Monday by a three-judge Federal panel for determination of whether streetcars and buses are the same under the meaning of the law.

The suit filed four years ago by O.Z. Evers seeks to have a 1905 statute requiring segregation on Memphis streetcars declared unconstitutional.

The Federal panel has asked determination of the streetcar-bus question since Mr. Evers' suit is based on his refusal to take a rear seat in a bus, and buses were unheard of at the time that the law was passed.

Segregated Seating Ends On City Buses

The Commercial Appeal
Policy Has Been In Effect Since Monday

Segregated seating aboard buses of the Memphis Transit Co. has been discontinued the

company announced yesterday.

The new policy has been in effect since Monday. No disturbances have been reported.

Memphis joins several other Southern cities where segregated seating has ended—such as Nashville, Knoxville, Birmingham, New Orleans, Atlanta, Richmond and Little Rock.

Passengers, whether Negro or white, will not be asked to change seats because of their race, under the new policy.

In past instances, some bus drivers have permitted Negroes to sit in the front of the bus. All MTC drivers have been informed of the new policy.

E. P. McCallum Jr., MTC president, confirmed the new seating policy yesterday after he met with the City Commission.

Just after noon, Mayor Henry Loeb issued the following statement:

"The Memphis Transit Co. on its own initiative has made this decision. It is our responsibility to preserve peace and order. That we will do."

Police Chief James C. Macdonald said, "Our job is to preserve the peace and we will continue to do this. As far as we are concerned, we will do like the City Commission says."

Memphis Busses Are Desegregated

MEMPHIS, Tenn.—(SNS)—Public bus transportation was voluntarily desegregated in Memphis Thursday afternoon, after lengthy court litigation and picketing.

Announcement of the desegregation came from the transportation company. A federal court on the issue was pending.

Bus Company to Allow Mix

JACKSON, Tenn. (AP)—The bus company announced it no longer will enforce segregated seating on buses—but police said complaints may still lead to arrests.

The announcement from the Jackson City Lines Corp. came after a three-day protest demonstration by Negro college students.

The students picketed downtown bus stop locations after nine Negroes were arrested Thursday for refusing the bus driver's order to move to rear seats.

T. O. Petty, manager of the company, said that so far as the firm is concerned Negroes may now choose their own seats.

Police chief Raymond Gaba said the state segregated seating law is still on the books. If passengers or others complain to police about Negroes sitting up front arrests could follow, he said.

Pickets picketed in racial protest

JACKSON, Tenn., Oct. 15—(AP)—Negro college students resumed picketing at downtown points today carrying signs protesting segregated seating on city buses.

The Lane College students began the demonstrations Thursday after nine other Negro students were arrested for refusing to move to rear seats on buses.

The pickets had pickets yesterday. Three white youths paraded beside them carrying signs which read: "If you don't want to ride our buses, then walk."



Birmingham World
PLAINTIFF AND COUNSEL — Pictured above, left to right, is O. Z. Evers conferring with Attorney H. T. Lockard, chief counsel in the Memphis bus desegregation suit that began in 1956 when his client, Evers, refused to take a rear seat after paying his fare. The decision by the Memphis Transit Company to end segregated seating on buses in the city came as a surprise to Lockard and Evers. Federal Judge had continuously refused to hand down a decision on the case.

MEMPHIS TRANSIT CO. ENDS POLICY OF BIAS

Birmingham World
Birmingham, Ala.
 E. P. McCallum, Jr., Memphis Transit Company president, confirmed reports Wednesday that the city bus policy of separation of races has been discontinued.

McCallum stated that "the policy has been in effect since Monday. Passengers, whether Negro or white, will not be asked to change seats because of their race, under the new policy."

BUS SUIT PENDING

The surprise announcement by the Transit Company makes a bus suit now pending null and void. This bus suit originated from an incident in 1956 when the plaintiff, O. Z. Evers, boarded a bus, sat on front seat after paying his fare.

three judges that dismissed the original suit on June 27, 1958. The United States Supreme Court reversed this decision in December, 1958.

MAYOR ISSUES STATEMENT
 Just afternoon Thursday, Mayor Henry Loeb issued the following statement: "The Memphis Transit Co., on its own initiative has made this decision. It is our responsibility to preserve peace and order. That we will do."

Attorney H. T. Lockard, chief counsel for the plaintiff, has been aided in the bus desegregation case by Attorneys Russell B. Sugarman, A. W. Willis, Ben Jones and Constance Motley of New York, NAA-CP legal dept.

District Judge William Miller of Nashville and Marlon S. Boyd of Memphis, and Circuit Judge John D. Martin of Memphis, are the

Transit President's Statement

Birmingham World
Birmingham, Ala.
**Bus Operator
 Knew Nothing
 Of New Policy**

Only a few hours after the Memphis Transit Company had announced a new policy of integrated seating on city buses, four Negroes were arrested and charged with disorderly conduct Thursday afternoon.

The arrests occurred on four different buses and in accordance with the new policy three of the bus drivers did not call police. While passengers on the buses acted as prosecutors in the cases, fourth driver notified police when a Negro woman refused to move from a front seat to the rear.

PRESIDENT CONTACTED

Memphis Transit Company President E. P. McCallum, Jr., called to the Memphis World that the operator that called the police was not aware of the new policy. The operator went on duty at 1 p.m. and was not off until 7 p.m. This particular man did not know that I had posted the notice on the bulletin board, because he was on duty. Our new policy of not asking passengers to move to specified seats because of race is in effect.

Birmingham News
8-27-60
**Negro suit claims
forced home sale,
Fairfield trickery**

A group of Fairfield Negro homeowners is seeking through U. S. District Court action to prevent the sale of their homes for the city's low rental public housing project.

The action, seeking an injunction against the City of Fairfield to prevent the "forced" sale of the home for the city's second addition, was filed by Negro Attys. W. L. Williams Jr. and David H. Hood Jr.

The lawyers set out in their petition that the second addition was "an effort conceived in trickery, aided by federal assistance, with aims toward driving (Negroes) out of the City of Fairfield simply because they are Negroes."

The lawyers contend the program would bring in two-family low rental housing in a one-family home area, and would "change the nature of the neighborhood."

Calif. Man Is Convicted For Attacking Home

LOS ANGELES (ANP)—For the first time in the history of Los Angeles a white man was convicted last week of molesting a Negro who moved into a "white" neighborhood.

Robert Austin was found guilty of disturbing the peace for throwing a rock into the home of Emory Holmes, directly across the street, last May 14.

Austin was caught by police officers who had been staked out for two months on church property from where they could observe his actions.

Holmes, his wife, Bobbie, and their two children have been the victims of one of a bizarre and persistent campaign of intimidation. It began immediately after they moved into their home.

"ALL WHITE: JUDGE AND JURY"

To make Austin's conviction more bitter, the verdict was returned by an all-white jury in a court room presided over by a white judge, while the court secretary and the clerk who swore in witnesses were both Negroes.

The jurors heard four days of testimony and argument in the case.

A surprise witness for the prosecution was Mrs. True R. Slocum, whose husband sold the house to Holmes.

THREATENED BY AUSTIN

She told the court she has been threatened by Austin and by a postman, Leo J. Duffy, who lives next to Austin ever since they sold the house.

She was warned, she said, that her husband would lose his job and that they "wouldn't be responsible for what happened."

She said they had tried to blacken her character with her neighbors and that Duffy, in particular, had made ugly remarks to her. She hesitated when asked to tell just what Duffy had said.

Told to repeat the exact words, she testified he told her "she's the kind of white trash who would go to bed with a black son-of-a-bitch."

Austin took the stand in his own defense and denied all charges, but admitted he didn't like the

groes moving into the neighborhood.

Man Who Harassed Negro Convicted

LOS ANGELES—An all-white jury found a white man guilty of disturbing the peace because he harassed a Negro psychologist and his family who had moved into a "white" neighborhood.

In the precedent-setting conviction, Robert Austin of suburban Pacima was found guilty for throwing a rock into the home of Emory Holmes, directly across the street from the accused man's property, last May 14.

Austin was apprehended by officers who had been staked out for nearly two months next door to Austin's orange grove, where the investigators could observe his activities.

HOLMES, HIS WIFE Bobbie and their two children had been the target of a persistent campaign of harassment since they moved into the home last July.

Austin's conviction came after four days of hearing witnesses and ensuing arguments by opposing counsel.

Mrs. True R. Slocum, wife of the man who sold the home to the family, was a surprise witness for the prosecution. She told the jury she had been threatened by Austin and another white neighbor, named Leo J. Duffy.

With the conviction, observer said that the harassment of the Holmeses has been finally stopped.

POITIER SAYS BIAS EXISTS ON COAST

Negro Actor Believes Color Kept Cast of 'Raisin in Sun' Out of Suitable Housing

By MURRAY SCHUMACH

Special to The New York Times.
HOLLYWOOD, Calif., Aug. 18—The nine Negro actors who came here from Broadway to

make the film version of their hit play, "A Raisin in the Sun," had difficulty finding suitable living accommodations.

They are convinced that their troubles were because of their color. There are always plenty of apartments and homes for rent in the Hollywood area in a wide price range, both furnished and unfurnished.

Ironically, the movie is about the attempt of a Negro family to move into a white environment. It is being produced by David Susskind and Philip Rose and directed by Daniel Patrice. The script was written by Lorraine Hansberry, who also wrote the play.

Sidney Poitier, the star of the movie, was unable to find a desirable home for rent for himself, his wife and three children. He was willing to pay up to \$1,500 a month for a three-month rental.

Rented Three Apartments

The family finally rented three apartments in the Chateau Marmont, an apartment hotel here that caters to men and women in show business and is such a favorite with visiting New Yorkers that it is sometimes known as "Hollywood-on-the-Hudson."

Others in the cast of "A Raisin in the Sun," who earn considerably less than Mr. Poitier, were turned down by a number of moderate priced hotels and motels before they were accepted by the Montecito Hotel, which also caters to show people.

"I speak about this with pain," said Mr. Poitier, "because I would like not to say that these things exist. Hollywood has been extremely good to me. There are people here who offered us their homes. But show business is not Southern California. The show business community is just a small portion of Southern California. The rest of the area yields only to time and to pressure. There is not one ounce of altruism."

A Few Were Available

In seeking to rent a home here, Mr. Poitier instructed real-estate agents to say that they represented a Negro family. The few homes that were available, he said, were impractical.

"I know that a three-month rental put us at as disadvantage," he said. "It is not the most desirable period. Notwithstanding, I am sure there were homes available of the sort we wanted. But we could not find them."

At one point, he considered buying a home since he has been making movies here on and off since 1949. But he and his wife decided against it.

"Our children are established in a multi-racial community in Mount Vernon," he said, "they attend multi-racial schools. The difference in color is no longer a curiosity to our children. We don't want to barter that kind of atmosphere for something that is semi-hostile."

The rest of the cast, before it found accommodations in its present hotel, was confronted with a choice between the cheapest sort of motel, or housing in the Negro section of Los Angeles, a considerable distance from the Columbia studio, at which the picture is being filmed.

Expert Gives Ten Guides to Reduce U.S. Housing Bias

BERKELEY, Calif. — The research director of the Commission on Race and Housing has established 10 guides by which individuals and communities may reduce discrimination in housing in the United States.

Dr. Davis McEntire (Ph.D.) outlines the program for action in *Residence and Race*, the most complete and authoritative single volume ever published on race and housing in the United States.

It is the final volume of the monumental race and housing series being published by the University of California Press.

THE PRESS has now published six books for the Commission on Race and Housing, a distinguished group of private citizens, whose work was financed through a \$305,000 grant from the Fund for the Republic.

McEntire has been Professor of Social Welfare at the University of California, Berkeley, since 1947.

Twenty-seven million Americans still suffer to some extent from housing discrimination, he writes, including 19 million Negroes, Japanese, Chinese and Filipinos; 2.5 million Mexican-Americans; one million Puerto Ricans and five million Jews.

The guides he outlines are:

1. Attack discriminatory conduct rather than attitudes.
2. Change the social situation and thereby influence both decisions and attitudes.
3. Influence decision-makers of housing—builders, mortgage lenders, real estate brokers, government agencies—rather than whole communities.
4. Seek legislation that will give freedom of action to persons who oppose discrimination.
5. Mobilize all citizen groups concerned with discrimination to effect changes in law and conduct.
6. Organize with the understanding that most Americans have no firmly fixed convictions about race, and will respond to enlightened leadership.
7. Promote association among members of majority and minority groups who are of comparable economic and social position. Promote the participation of minority people in community affairs to

break down their isolation.

8. Create community situations in which members of different racial groups can work together to solve common problems (such as obtaining better schools).

9. Expand the supply of housing, especially at lower price levels, to reduce competition for housing among racial groups.

10. Do not confuse problems of racial segregation with problems of socio-economic segregation.

"Discrimination is perhaps the leading unresolved domestic problem of the nation," McEntire points out, and housing segregation is a crucial aspect of the situation.

HE REPORTS findings of several studies on changing American attitudes. Two scientifically conducted polls in 1956 found that a slight majority of white respondents in the North and West would be willing to live in the same general neighborhood with Negroes.

Even in the South, about a third of whites would be willing to do so.

• McEntire notes that race restrictions in the United States are a grave disadvantage in our relations with Asia and Africa.

He writes, however, that "the fact that the U.S. is a racially mixed nation is potentially an important asset in its relations with Asia and Africa, (if) white and non-white citizens stand on an equal footing as members of the American community."

Poitier raps West Coast

on bigotry in housing

Afro American
Baltimore, Md.
HOLLYWOOD, Cal. — Al Poitier, show business is not Southern California. The show business community is just a small portion of Southern California. The rest of the area yields only to time and to pressure. There is not one ounce of altruism."

Lat. 8-27-60
Poitier described his plight while condemning racial bigotry on the West Coast, exemplified by the inability of nine colored actors who came here to make a movie of "Raisin In the Sun" to get adequate housing.

They are convinced that their troubles were because of their color. There are always plenty of apartments and homes for rent in the Hollywood area in a wide price range, both furnished and unfurnished.

2-8-60
IRONICALLY, the movie is about the attempt of a colored family to move into a white environment.

It is being produced by David Susskind and Philip Rose and directed by Daniel Patrice.

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First Ruling Under 1959

Colorado Housing Act To Be Appealed As Test Case

DENVER. — The Colorado Anti-Discrimination Commission last week found a real estate firm guilty of discrimination in refusing to sell a house to a Negro.

The ruling, the first since the 1959 Housing act was passed, was directed against J. C. Case and Co., a Colorado Springs real estate firm.

Company officials announced Saturday they will appeal the case to District Court "and the Colorado Supreme Court if necessary."

Case and his attorney, James Tarter, maintained the law under which the commission acted is unconstitutional.

Tarter added there was no direct evidence at the time of the hearing that showed the Case company refused to sell the house to the Negro couple because they were Negroes.

The commission ruled that the Case company was in violation of the Housing statute which forbids discrimination on the basis of race, creed or color in public housing.

The firm was directed to sell a comparable home to the couple, Mr. and Mrs. James R. Rhone, of Colorado Springs, by July 12.

The law does not provide fine or imprisonment for persons who do not comply with Anti-Discrimination Commission orders.

The commission, however, can go into district court to seek enforcement of its order.

A commission hearing in the dispute was held in Colorado Springs in March.

At that time the Rhones testified they called the Case Co. about a home in the latter part of August, 1959, after seeing the property advertised in Colorado Springs newspapers.

The commission found Rhone paid \$500 in earnest money on the home after preliminary purchase contracts were signed.

Several days later, commission evidence revealed, salesmen for Case told the Rhones they would "not be happy" living in an all white neighborhood or sending their children to an all white

school.

When the Negro couple insisted on buying the home, the commission said, Case employees told them the house had been sold to someone else.

The 1950 law has not been tested in the Colorado Supreme Court.

Builder Admits Barring Negro

HARTFORD, Conn. (UPI) — Housing developer Albert Swanson testified Monday that he refused to sell a house to a New Haven Negro because he felt it would "jeopardize" his investment.

Swanson made the statement at a hearing called by the State Civil Rights Commission.

He was charged with discrimination on the complaint of De-witt Jones, who tried to buy a house in the Benham Lane Heights development.

Swanson also testified he transferred some of his lots to a corporation headed by his wife "so as not to come under the statute" concerning discrimination in housing.

Negro Neighbors' Acceptance Urged

The Washington Post
A plea for homeowners to "stop running" from their new Negro neighbors was made yesterday by Rabbi Bal-tour Brickner, spiritual leader of Temple Sinai, 1800...
Rabbi Brickner told a Brotherhood Month meeting of the Abram Simon Chapter of B'nai B'rith Women that it is "much more expensive to be prejudiced than it is to be tolerant."

"How far can you run?" he asked. "If you run toward Baltimore, you can get half way there and find that people from Baltimore are running toward Washington."

"Social concern is an integral part of the foundation of religion," he said. "Faith just doesn't mean going to church. It means clothing the naked and feeding the hungry."

Rabbi Brickner participated in a discussion of the role of churches and synagogues in changing neighborhoods at the Agudath Achim Synagogue, 13th and Tuckerman sts. nw. Other speakers were the Rt. Rev. Msgr. George L. Gingras, pastor of St. Augustine's Church, and the Rev. Arthur A. Azlein, pastor of Michigan Park Christian Church.

Margery F. Ware, executive secretary of Neighbors Inc. who served as moderator, said that the "colored" racial designated in newspaper real estate advertisements had resulted in "screening out white buyers" from new housing developments.

Interracial Housing For Washington, D.C.

WASHINGTON. — (ANP)—Morris Milgram, whose interracial housing project in Deerfield, Ill., has run into legal snags, announced last week that he's planning a similar project here in the Capital city.

Milgram made the announcement at a meeting of citizens. He did not say where the site is, but described it as of more than 20 acres and added that additional land is wanted.

The plan to build in this area was disclosed last October when Milgram formed a working relationship with Home Parks Inc., headed by Joseph L. Rauh Jr., attorney and vice chairman of Americans for Democratic Action.

Milgram said that his other developments have brought no difficulty involving mixed occupancy by people of similar economic and cultural backgrounds.

Milgram's firm, Modern Community Developers, Inc., of Princeton N. J., has built or is building projects in Pennsylvania, New Jersey, Illinois, Delaware, New York and Connecticut in partnership with local groups.

His proposed 51-home development of \$30,000 houses in Deerfield, Ill., a Chicago Suburb, touched off a local controversy that received international attention.

For African Diplomats in Washington

Ask End to Biased Housing

WASHINGTON (ANP)—The Department of State has once again been called upon to make some effort to end discrimination in housing for African diplomats.

(The request was made by David A. Sawyer of the District Council on Human Relations.

In a discussion with James K. Penfield, Deputy Assistant Secretary for African Affairs, Sawyer said that Washington has been characterized as a "hardship post" for Africans.

"This problem seriously affects our local and international relationships," he continued. "On the international level, the integrity of the United States is measured by many countries on the basis of our racial practices."

Sawyer suggested that top State Department officials call a meeting to discuss this matter with the national and local real estate men in an effort to abate the hardships facing these diplomats.

Penfield said he would relay the message to Secretary of State Christian A. Herter, and hoped a quick response.

Joint Effort To Aid Negro Envoys Urged

The Washington Post
Washington, D.C.
State Department

Asked to Help D. C. Solve Housing Woe

By Jerry Landauer
Staff Reporter

David A. Sawyer of the District Council on Human Relations asked the State Department yesterday to join with the Commissioners in efforts to end discrimination in housing against diplomats from Africa.

Sawyer discussed the difficulties Negro diplomats encounter in finding suitable homes with James K. Penfield, Deputy Assistant Secretary for African Affairs. The problem was highlighted by The Washington Post on Aug. 28.

Through Penfield he forwarded a request to Secretary of State Christian A. Herter to help convene a meeting of

confronting the diplomats.

Penfield listened attentively, according to Sawyer, and promised a quick response.

In his memorandum, left at State, Sawyer observed that Washington has been characterized as a "hardship post" for Africans.

"The problems seriously affects our local and international relationships," the memorandum said. "On an international level, the integrity of the United States is measured by many countries on the basis of our racial practices."

"The African delegates to the United States are encountering difficulties finding places to live where they will be welcomed. These difficulties will unfortunately, influence the personal and national attitudes of African officials and other nations towards the United States."

Sawyer observed that discrimination aimed at Negro diplomats obscures the "real progress" made in the District toward racial equality.

District Commissioners order inquiry into charges of discrimination in slum clearance.
Page C1.

National and local real estate men to abate the hardships

Survey Reveals 'No Depreciation' When Negroes Move Into Areas

The Call Kansas City, Mo.
2-14-60
NEW YORK. — (ANP) — The bottom has been knocked out of one of the main arguments used by those opposing the integration of residential areas by an eight-city survey published by the University of California.

The study's major finding is that the entry of non-whites into an all-white neighborhood was much more often associated with price improvement or stability than with price weakening.

No Uniform Pattern Noted

No single or uniform pattern of non-white influence on property could be detected, the study says. Rather, what happens to prices when non-whites enter a neighborhood seems to depend on a variety of circumstances which may influence prices upward or downward, or leave them unaffected.

The study, called "Property Values and Race" has just been published by the University of California Press.

It was written by Luigi Laurenti, who has taught economics at the University of California in Berkeley.

Much of the new report is based on Laurenti's own studies in San Francisco and Oakland, Cal., and Philadelphia.

He also evaluates similar studies made independently of the commission in Chicago, Kansas City, Detroit and Portland, Ore.

Compare Price Changes

The fluctuation of prices in neighborhoods entered by non-whites — the test areas — was compared with price changes in the matching all-white neighborhoods — the control areas in the study.

Study of the comparisons yielded the following conclusions:

In 41 per cent of the comparisons, test prices stayed within 5 per cent of the control pieces, indicating no significant difference in price behavior.

In 44 per cent of the comparisons, test prices were relatively

higher than control prices by margin of 5 to 26 per cent.

In the remaining 15 per cent of the comparisons, test prices were lower than control prices by margin of 5 to 9 per cent.

An analysis of mortgage financing data in the San Francisco area revealed the following:

Many Pay Cash

Almost as many non-white buyers purchased for cash, plus a first mortgage, as did whites (48 per cent as against 53 per cent).

Resort to second mortgages was about the same for non-whites and whites two out of five non-white buyers, two out of six white buyers.

For non-whites, cash down payments were 17 to 25 per cent less than those made by white buyers.

First mortgages extended to non-whites were as large or larger than those granted to whites, and involved the same loan-price ratios.

Recorded interest rates were the same for non-whites as for whites.

The findings for San Francisco, Oakland and Philadelphia are generally consistent with the neighborhood studies in Chicago, Kansas City, Detroit and Portland.

INTEGRATION GAIN NOTED IN RENTALS

The New York Times

21-City Study Finds White Resistance Crumbling—Tenants Compatible

Mon. 2-29-60

OBSTACLES TO BUILDERS

New York Times
Restrictive Zoning Hampers Growth of Interracial Apartment Units

38c General

Contrary to wide belief, interracial housing developments do not invariably become miniature Harlems, according to a study sponsored by the Fund for the Republic.

The report, written by Eunice and George Grier and published today by the University of California Press, indicates that prospective white tenants had in recent years shed their reluctance to move into housing projects with Negroes.

The Griers' research, which covered twenty-one cities showed that whites generally were in the majority in developments that were established as interracial projects. The authors attributed this not to "quotas or other occupancy controls" but to "the natural result of market forces."

Antagonism Fades

In a broader context, the book describes this trend as symptomatic of a growing tendency away from racial antagonism. It states:

"If continuing improvement

of the economic status of Negroes, plus continuing diffusion into formerly all white areas, creates a changing climate of opinion in which residential proximity to Negroes comes to be considered less and less 'abnormal,' then more whites may be expected to become clients for new interracial housing."

The principal obstacles to an interracial housing development, the survey indicates, crop up during the planning stages, long before the time comes to seek tenants.

"Developers planning interracial housing have encountered zoning as an obstacle; land has been rezoned from residential to industrial use, and minimum lot sizes have been increased beyond economically feasible building limits. Land has been withdrawn from sale when its owner learned of the builder's intent."

More Studies Due

The Gruyers' study is the second of five in a series undertaken by the Commission on Race and Housing under a \$305,000 grant from the Fund for the Republic.

The commission's research staff is headed by Dr. Davis McEntire, Professor of Social Welfare at the University of California.

During the period of the study, interracial developments accounted for only about 8,000 of about 10,000,000 dwelling units built. The authors forecast an increase in this percentage.

The survey showed that prospective white tenants for interracial developments made up of a group "much broader than had been thought—in income, occupation, education, household structure and ethnic background."

Growing Urban Segregation

The Pittsburgh Courier
An ominous note was sounded at the International Conference of Mayors last week when Dr. Philip M. Hauser, chairman of the University of Chicago's sociology department, told the assembled delegates at the Windy City meeting that residential segregation is increasing rather than decreasing in urban centers.

It seems that Negroes are migrating to the cities "too fast," their visibility is too high, and their acculturation is too slow.

Whites are increasingly escaping to the suburbs and diligently working to keep Negroes from following them.

Dr. Hauser is pessimistic about complete integration in our cities, and, unfortunately, the evidence seems to support this view, especially since Negroes, themselves, have not yet forged the economic instruments necessary to batter down the residential barriers erected by reluctant whites.

One glimmer of light is the growing Negro vote potential in all of our major cities—if Negroes take advantage of their opportunities at each election and make their vote felt.

Power at the polls has to be strengthened by voting intelligently with the dollar for the rest of the year, and there are signs that Negroes generally are becoming aware of this important fact.

Urges NAACP To Act As 'Bee' In Housing Fight

By EDDIE L. MADISON, JR.

During their recent housing conference officers and members of the Chicago Branch NAACP were told that they might do well to become "NAAC Bees" in order to "get under the skin" of those who would resist the breakdown in segregated housing.

Luigi Laurenti, author of "Property Values and Race" and consultant in economics in the San Francisco area, credited the NAACP with helping to create an open housing market in many parts of America.

"Freedom of residence is a basic freedom," Laurenti declared "as believers in democracy, we must maintain this freedom." He said we must eliminate "white flight" and "Jim-crow mobility" in the housing area.

DESTROY MYTH

Laurenti said our ancestors' belief about the dangers of allowing the night air to enter the bedroom while sleeping was found to be only a myth. Just as we learned that night air is not harmful, we must do away with the myth of race regarding housing, he continued.

Just what does happen to prices when Negroes move into a neighborhood? In answering this question, Laurenti explained that no single pattern of price behavior can be expected to follow the break in the all-white composition of an area.

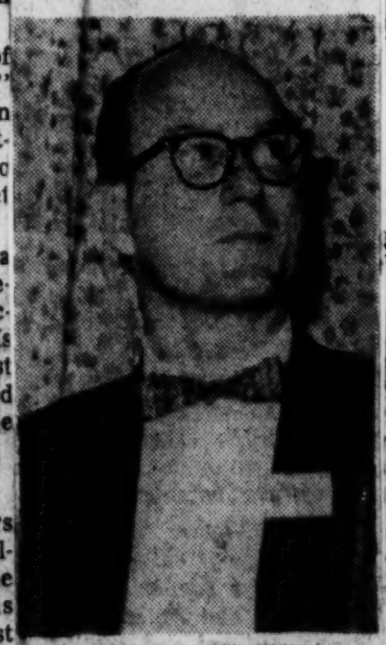
"If homeowners panic because they believe they are going to take a monetary loss and throw their home on the market, they inevitably will suffer a loss. We may pointedly ask, however, was the loss caused by non-white entry or by self-induced panic," Laurenti added.

BELL IN PANIC

Discussing further the factors which effect the housing market,

Laurenti said that studies revealed that if a large number of whites sell in panic and if there are only a few non-white buyers, this would cause a decrease in values.

Laurenti, who was main speaker for the luncheon meeting at the Sheraton-Blackstone hotel's French Room, told the one-day conference



LUIGI LAURENTI

ference that widespread fears are at the root of the problem in housing. Racially separate patterns, fear of drop in social status and deep-seated racial prejudice itself are some of the barriers which block integrated housing.

However, Laurenti emphasized the point that often fear of financial loss is used as "an honorable position" for whites so that they can feel "guilt-free" on the housing question. He said that property values can be used as a disguise for many prejudices.

IMPORTANT FACTORS

Laurenti cited shifts in industry opinion and fear of inundation by ghettos as other important factors in the interracial problem.

The former business administration and economics professor at University of California

said that a forecast of price patterns in an area could be made on the basis of the following factors:

1. Strength of the non-whites' desire to move in.
2. Strength of the whites' desire to move out.
3. Housing open to non-whites.
4. Housing open to whites.
5. Policies of real estate brokers.
6. The time element as related to influences by churches and other groups.

Laurenti, whose survey was financed by a grant to the Commission on Race and Housing by the Fund for the Republic, said whites may be reluctant to move from an area when more desirable areas are not available. But, at the same time, non-whites may be seeking entrance into the all-white area.

Most of Laurenti's studies were focused on areas outside the central city areas. Studies revealed that housing segregation is more intense in Northern cities than in many southern communities.

The price classification in Laurenti's survey reflected the following changes with regard to the degree of non-white entrance into areas.

1. Test prices showed no significant increase — 40 per cent.
2. Test prices increased — 15 per cent.
3. Test prices dropped — 15 per cent.

In many instances the price behavior in areas following Negro entry was unaffected, Laurenti said. He said the odds were four to one that prices will keep up or exceed any comparable all-white area, according to survey findings.

Laurenti said studies from the cities covered, including San Francisco, Oakland and Philadelphia, non-white entry was usually associated with rising rather than falling prices.

Each case, however, must be examined on an individual basis.

WHITE REACTION

Cited as the most important factor in interracial housing was the reaction of whites to entry of their non-white neighbors. "Evidence showing where non-white entry has been successful could strike at one of the main factors against integrated housing," Laurenti said.

This success story could remove the fear of loss in property values and, as such, more areas would open up, he added. Continuing, Laurenti said, "If small non-white entry could be handled and retain the area as an integrated neighborhood, this would eliminate the condition of developing more all-Negro areas."

Laurenti said this evidence would also prompt more favorable attitudes on the part of lending agencies.

2 families break ice in Levittown

NEWARK

The issue of discrimination in housing, increasingly recognized as one of the nation's gravest racial problems, was spotlighted during the week in New Jersey, Detroit, and San Francisco.

In New Jersey, Ira G. Goldman, vice president and general counselor for Levitt and Sons, announced that two colored families are purchasing homes in the firm's hitherto all-white 16,000-unit development at Levittown, N.J.

Willie R. James and Franklin B. Todd of Burlington filed a complaint two years ago charging that the firm's refusal to sell them homes in the project constituted violation of a state law barring discrimination in the sale of homes built with the assistance of public funds.

A state court ruling in the buyer's favor was appealed by the builders to the Supreme Court, which refused two weeks ago to review the case.

At the request of the two families who are slated to move in during July and August, Levitt spokesmen declined to say whether they are

the same ones who filed the complaint.

IN DETROIT, Lawrence Gubow, Michigan's Corporations and Securities Commissioner, is slated to decide this week whether to issue a regulation barring discrimination in real estate activity.

The proposed regulation would make possible the revocation of the licenses of brokers discriminating against prospective buyers of real estate because of race, religion, or national origin.

The regulation was suggested in the wake of disclosures that real estate men in suburban Grosse Pointe area had set up a "point system" under which prospective buyers were screened according to nationality, race, accent, way of living, occupation, grammar, education and whether they were "typically American."

IN SAN FRANCISCO, a study by its Council for Civic Unity revealed that a majority of its real estate men feel that the city is moving toward an "unrestricted housing market" but only 10 out of 86 feel that minority group members could buy easily as white persons.

This holds true, the study said, for Chinese, Japanese, Filipinos, Mexicans or colored Americans. The rental situation is "even tougher," according to Frank Quin, executive director of the council.

"One in five brokers," the report stated, said they would sell to a colored, and two in five to Orientals. But when asked what they would do if a colored person wanted to buy in an all-white neighborhood in San Francisco not one of the sixty-two who answered this question would sell to him.

"Being first to sell to a colored person in an all-white area is apparently the strongest taboo in the real estate business," the report said.

Probe asked of color bar sales

NEW YORK — New York announced Wednesday that a State Attorney General Lef- ½ per cent service charge has kowitz was urged last week been authorized for mortga- to expand his probe of "block ges which do not exceed busting" by certain real es- \$9,000.

late dealers to include a Formerly the additional • probe of racially discrimina- per cent change was allowed tory tactics of other opera- for homes mortgaged for tors. \$8,000 or less under section

In identical letters to the 203 of the National Housing Attorney General and to Mrs. Act.

Caroline K. Simon, Secretary FHA Administrator Julian of State for New York, Jack H. Zimmerman said the step E. Wood Jr., NAACP special had been taken to further in- assistant for housing, asked crease production of homes expansion of the probe and for low - income buyers. filed a specific complaint Lenders, he said, were re- against a Queens real estate firm. luctant to enter the 203 pro- gram at the \$8,009 - \$9,000 level without the benefit of an additional service charge.

The NAACP official said that the firm was applying pressure on the owner of a home in a white neighbor- hood to prevent her from sell- ing to a colored buyer.

Mass. breaks sale ban

BOSTON — The Massachu- setts Commission Against Dis- crimination has ordered Cam- panelli Builders, Inc., and Middlesex Homes, Inc., build- ers and agents for a 300-unit project at Danvers, Mass., to end racial discrimination in their sales.

The order came in the case of Ulysses Marshall, a Boston electrical contractor filed a complaint with MCAD last January when he was denied the right to purchase a home in the \$14,900 - \$22,000 devel- opment.

A picket line which had been maintained about the project by the Committee For Racial Equality (CORE) was nounced willingness to com- withdrawn when the firms an- ply with the MCAD order.

Mortgage fee up

WASHINGTON — The Fed- eral Housing Administration

Whites Are Buying Homes in Racially Mixed Communities

NEW YORK — Large numbers of whites in Northern cities are buying houses in racially mixed neighborhoods re- gardless of whether they prefer white or Negro neighbors, reports a study released today by the Fund for the Repub- lic's Commission on Race and Housing.

The study, entitled "The De- mand for Housing in Racially Mixed Areas and published by the University of California Press, is the fourth of five re- ports in a race and housing se- ries financed by a \$200,000 Fund for the Republic grant.

The report also concludes that in Northern metropolitan areas Negroes are less subject to unfavorable economic discrim- ination when they seek to buy a house, either in purchase price or in obtaining financing for mortgage.

THE AUTHORS of the study are Chester Rapkin and Wil- liam G. Grigsby, professors at the University of Pennsylvania's Institute for Urban Studies.

Their findings are based chief- ly on a survey of attitudes to- ward race among house buyers in four separate Philadelphia neighborhoods with a total pop- ulation of 50,000. The study also draws upon the work of many other scholars who have exam- ined the problems of housing in- tegration.

• In general, Rapkin and Grigsby feel that Northern cities have passed their most explosive period for integrat- ing Negroes in their neighbor- hoods.

The North is unlikely to ex- perience many more rapid transi- tions complete. In its neighbor- hoods, they said, for "the back- log of (Negro) demand has been largely satisfied; in-migration (from the South) has dropped sharply; and many of the mar- ket barriers have been lowered.

• "Under these circum- stances it is not likely that the

transition period of the post- war decade will persist. As po- tential purchasers observe mixed areas that have main- tained this balance over a long- er period of time, the anticipa- tion of inundation will de- cline."

Through a unique series of depth interviews and surveys, Rapkin and Grigsby develop a set of conclusions which chal- lenge widely accepted beliefs re- lating to minority housing prob- lems:

• Many whites will buy houses in mixed neighbor- hoods whether or not they ob- ject to Negro neighbors.

• Negroes are not necessari- ly disadvantaged in mortgage negotiations, but may even receive better mortgage terms.

• Negroes are not necessari- ly compelled to pay more for housing than whites, but may pay less.

Rapkin and Grigsby found that many whites in the mixed areas under study did not even bother to look for houses in all- white areas. More than one- fourth of the white purchasers bought on the same street front or facing the same street front on which Negroes lived.

BUT THEY SOON discovered that of 2017 purchases for own- er-occupancy, 443 were by white and 1,574 were by Negro fam- ilies.

• "This in itself," they write "is one of the most signifi- cant findings of the entire in-

vestigation. It sheds doubt on the premise that once Negroes enter a neighborhood, no white will purchase in the area thereafter."

In one area the researchers found three times as many Ne- gro purchasers as whites. In an- other there were twice as many white purchasers as Negroes. These and other statistics de- molish the widespread conten- tion that, once in, Negroes al- ways "take over" neighborhoods, and that whites flee before them.

Race Restricts 27 Million In Housing, Report Shows

NEW YORK (AP)—One out of every six Americans is unable to live where he wants to live because of racial discrimination.

This was the finding Sunday of a three-year study of housing and race in the United States.

Altogether, 27 million Americans are restricted to some extent in choosing a place of residence because of their race or ethnic descent, the report says.

"Racial segregation in housing is sustained by widespread popular attitudes, the practices of the housing industry, and policies of government," the report added. "Probably no aspect of racial discrimination in the United States is more institutionalized and resistant to change."

The report, entitled "Residence and Race", is the last of a series of studies prepared by the Commission on Race and Housing set up by the Fund for the Republic with a \$305,000 grant for research.

The commission's director of research, Davis McEntire, professor of social welfare at the University of California, wrote the report, which is being issued in book form by the university.

It says Americans most severely affected by housing discrimination are 19 million nonwhites—chiefly Negroes, but also Japanese, Chinese and Filipinos. Less rigidly restricted are 2.5 million Mexican Americans and a million Puerto Ricans. "Occasional" housing discrimination also is directed against Jews numbering five million.

"One of the basic liberties of citizens in a free society is the freedom to move and to choose a place of residence," the report says.

"To exclude persons from residence areas because of their race or ethnic attachment is to deprive them of an essential freedom enjoyed by others. This freedom is appropriately termed basic because it is essential to the enjoyment of many other rights and privileges.

People who cannot freely choose where they will live are severely hampered, not only in entering their living conditions,

but also in their use of community facilities and institutions and in their participation in community life."

The report offers 10 recommendations for reducing housing discrimination, based on three years of research and consultation with 50 experts in economics, real estate, sociology, psychology and other fields.

The recommendations for action are:

1. Attack discriminatory conduct rather than attitudes. "It is far easier to change people's actions—by law or the pressure of public opinion—than it is to change their attitudes; their attitudes will change in due course anyway."

INFLUENCE ATTITUDES

2. Change the social situation to influence both decisions and attitudes. "Argument, however convincing, is less effective than experience—economic and legal pressure is more effective than attempts at persuasion."

3. Influence builders, mortgage lenders, real estate brokers, government agencies, thus concentrating on key points rather than spreading efforts thinly on the general public.

4. Seek legislation giving freedom of action to persons who oppose discrimination. "Many people do not really wish to discriminate but feel compelled to do so by the social pressures."

EFFECT CHANGES

5. Mobilize all citizen groups concerned with discrimination to effect changes in law and conduct.

6. Organize with the understanding that most Americans have no firmly fixed convictions about race and will respond to enlightened leadership. "Though many Americans express racial prejudice, this is often merely what they think is expected of them."

7. Promote association among members of majority and minority groups of comparable economic and social position.

8. Create community situations in which members of different racial groups can attack common problems.

EXPAND HOUSING

9. Expand the supply of housing, especially at lower-price levels, to reduce competition for housing among racial groups.

10. Do not confuse problems of racial segregation with problems of socio-economic segregation. "Mixing neighborhoods by race does not mean mixing them by social class, too."

HOUSING BIAS SEEN HITTING 27,500,000

The N.Y. Times Fund for Republic Proposes Plan to Ease Racial Plight

A report made public yesterday by the Fund for the Republic offered a program for combating racial discrimination in housing. It estimated that 27,500,000 Americans suffer to some extent from such bias.

These findings are contained in a book entitled "Residence and Race," the final volume in a series of studies made in the last three years for the fund by the Commission on Race and Housing with a grant of \$305,000.

The groups said to be still suffering from housing segregation were 19,000,000 Negroes, Japanese, Chinese and Filipinos, 5,000,000 Jews, 2,500,000 Mexican Americans and 1,000,000 Puerto Ricans.

The proposed attack on discrimination included the following suggestions:

¶Seek legislation that will give freedom of action to persons who oppose discrimination.

¶Mobilize all citizens' groups concerned with discrimination to effect changes in law and conduct.

¶Create community situations in which members of different racial groups can work together to solve common problems.

¶Expand the supply of housing, especially at lower price levels, to reduce competition for housing among racial groups.

¶Attack discriminatory conduct rather than attitudes.

¶Change the social situation and thereby influence both decisions and attitudes.

¶Influence decision-makers in housing rather than whole communities. These include builders, mortgage lenders, real estate brokers and government agencies.

¶Organize with the understanding that most Americans have no firmly fixed convictions about race and will respond to enlightened leadership.

¶Promote association among members of majority and minority groups who are of comparable economics and social position. Promote participation of minority people in community affairs to break down their isolation.

The commission's final report was written by its director of research, Davis McEntire, Professor of Social Welfare at the University of California.

Shameful Situation Pointed Up In Special Report

27 Million Face Housing Restriction

NEW YORK—Twenty-seven million Americans still suffer to some extent from housing discrimination because of their race, says a Fund for the Republic report issued last week. The study, entitled "Race, Housing and the Community," is the final volume of a series of reports prepared by the Commission on Race and Housing established by the Fund with a grant of \$205,000.

Written by the commission's director of research, Davis McEntire, professor of social welfare at the University of California, the study appears in book form as a publication of the University of California Press. The report establishes ten guides by which individuals and communities may reduce discrimination in housing in the United States. Its recommendations are based on a three-year research program by the commission, which drew upon the experience of some 50 experts in economics, real estate, sociology, psychology and other fields.

ON THE BASIS of the information amassed in this enterprise, more extensive than any other ever undertaken in its field, he summarizes the situation of housing and race in the United States and points out it can be changed. The groups which still suffer to some extent from housing discrimination, he writes, include 19 million Negroes, Japanese, Chinese and Filipinos; 2.5 million Mexican-Americans; 1 million Puerto Ricans; and 1 million Jews.

Discrimination is, perhaps, the leading unresolved domestic problem of the nation, McEntire points out, and housing segregation is a crucial aspect of the situation. People who cannot freely choose where they will live are gravely hampered, not only in bettering their living conditions but also in their use of community facilities and institutions and in their participation in community life.

HE REPORTS findings of several studies on changing American attitudes. Two scientifically conducted polls in 1956 found that a slight majority of white respondents in the North and West would be willing to live in the same general neighborhood with Negroes. Even in the South, about a third of whites would be willing to do so.

McEntire notes that race restrictions in the United States are a grave disadvantage in our relations with Asia and Africa. He writes, however, that "the fact that the U. S. is a racially mixed nation is potentially an important asset in its relations with Asia and Africa, (if) white and non-white citizens stand on an equal footing as members of the American community."

McEntire, who has now returned to his post as professor of social welfare at the University of California, Berkeley, also surveys in his book the results of the many separate research studies conducted under the Commission on Race and Housing. (Some of these have previously been reported in other volumes published by the University of California Press). He describes the present state of affairs, and evaluates trends in the economic status and social characteristics of minority groups, the nature of pre-

ing segregation is a crucial aspect of the situation. People who cannot freely choose where they will live are gravely hampered, not only in bettering their living conditions but also in their use of community facilities and institutions and in their participation in community life.

The chairman of the Commission on Race and Housing was Earl B. Schwulst, president of the Bowery Savings Bank, and it includes such other distinguished public figures as Clark Kerr, President of the University of California; Henry R. Luce, Editor-in-Chief of Time, Life, Fortune, etc.; Gordon W. Allport, Professor of Psychology, Harvard University; Elliott Bell, Director of McGraw Hill Publishing Company, and publisher of Business Week.

Men Freed Of Moving Furniture On Woman's Word

Two Negro men charged in Records Court Wednesday with moving household goods after sundown were freed and the charges against them dismissed after the judge learned they were not moving into the white neighborhood where they had been arrested on Tuesday night.

The defendants in the case were identified in court records as Nelson Redmond, 41, and John Mayo, 58, of a Joy St. address. They were both booked with moving household goods after dark by Patrolman A. C. Potts.

An unidentified white woman interceded in the men's behalf at Court Wednesday and explained that the two Negro men were handling some furniture for her that had been impossible to move before sundown.

The woman explained to Records Court Judge James E. Webb that the defendants worked for her husband and that they were moving furniture for them at the time Mayo and Redmond were arrested.

The woman told the judge that her neighbors had confessed to her that they had called police to the scene Tuesday night because they feared a Negro family was preparing to move into the neighborhood.

The incident occurred, police said, at 88 Ormond St., S. E., on Tuesday night.

The woman said she explained to neighbors that the men were moving furniture for her and that they didn't intend to move in. She explained the same thing to Judge Webb.

After hearing the testimony of the white woman, Judge Webb, without the defendants ever opening their mouths in their own defense, dismissed the cases against them.

Laxity Of Zoning Negro Residential Areas Is Deplored

The Empire Real Estate Board will complain to the Georgia Real Estate Commission about the apparent laxity of zoning in Atlanta Negro neighborhoods, it was revealed Wednesday night during the regular monthly meeting at Walden apartments.

The question of laxity, involving several alleged abuses based on race, will involve the practice of zoning for apartments in Negro residential areas, particularly after home owners have bought and settled on their property.

Board representatives also are slated to complain to the commission that several Atlanta contractors are building and selling property without license and bond, as required by the state.

Following previous action in the Eggleston Zoning matter, President Joseph T. Bickers revealed that the group will have a representative at the hearing slated next Thursday before the Atlanta Aldermanic Board Zoning Committee.

President Bickers also revealed that at the March meeting of the board there will be a clinic on appraising property, and at the April meeting techniques of rent collection will be discussed.

W. L. Calloway and Q. V. Williamson are slated to represent the Empire Board at the mid-winter conference of National Real Estate Brokers in Washington, D. C.

In other action Wednesday night, the board revealed negotiations with the Atlanta Housing Authority for jobs under the Urban Renewal program.

House Bombed In Atlanta

ATLANTA, Ga.—(SNS)—A house at 3292 Delmar Lane, N. W., in a predominantly white neighborhood was dynamited late Wednesday night, but caused little damage. The family was not at home and the blast, described by police as "making more noise than damage," blew a few cement blocks and shingles out of place. It was believed to be the work of amateurs. The bomb consisted of a battery connected to a cable and dynamite.

Bombing Of Home Is Probed

Meant to Frighten,

Police Theorize

Atlanta police continued their investigation Thursday in the bombing of a newly acquired Negro home in an all-white Adamsville neighborhood which was dynamited Wednesday night.

Officers said they were told that the Negro family moved into the neighborhood early Tuesday night. They were not at home when the dynamite charge was exploded.

The modern one-story asbestos-shingled home received minor damage from the blast, which was triggered by wires attached to an automobile battery located in a grove of trees a number of yards away.

REASON SOUGHT

Detective Capt. R. E. Little said he believe the explosion which rocked the residence at 3392 Del Mar Lane, NW, was apparently for a "psychological effect."

Little said he thinks the persons responsible for the blast meant to frighten the Negro family away and not to destroy the structure.

The dynamited house is located

near a transitional area, where housing patterns are shifting from white to Negro occupants.

The house is next to the Adamsville Community Center and across the street from Margaret Fain School, a grammar school for whites.

CLOSE WATCH

Police are now keeping the neighborhood under close watch with patrolmen ordered to make constant checks on the area.

So far bi-racial agreements have kept Negroes out of the area, but Negro families have begun to purchase homes from whites and move westward, according to an Atlanta Urban League spokesman.

Police also discovered an attempt was made to set fire to the house. Kerosene had been poured under the residence and set afire but it apparently fizzled out before doing any noticeable damage.

Negro Home Is Dynamited At Atlanta

By United Press International

Investigators cited a psychological motive yesterday in the dynamiting of a Negro home in a white neighborhood in Atlanta and said the persons responsible meant to frighten the Negroes.

The Negro family moved into the house in a previously all-white neighborhood Tuesday. The dynamite blast Wednesday night occurred when the family was away and no one was hurt. The explosion ripped out part of a concrete block foundation and dislodged shingles and siding.

Investigators also discovered an attempt was made to set fire to the house. Kerosene had been poured under the house and set afire.

The dynamite was exploded with a length of wire attached to an automobile battery concealed in a patch of woods 100 yards from the house.

Meanwhile, the slowdown movement against segregation customs in the South gained momentum.

Negroes in Miami, considered an Easter Monday deadline to be-

gin lunch counter demonstrations, and the city commission scheduled a meeting later next week with managers of eight downtown stores which operate segregated counters.

Negro students picketed a number of stores in Charlotte, N.C., and pickets continued to march in Petersburg, Va., Richmond, Va., and Greensboro, N.C.

2 Accuse Realtor of Race Scare

Two Atlanta women complained formally Thursday that an Atlanta real estate agent tried to pressure them into selling their houses by telling them the mayor had zoned the area for Negroes.

The accusations were contained in complaints filed with the Georgia Real Estate Commission against W. T. Cooley, agent for Atlanta Realty Co.

Complaints were signed by Mrs. J. T. Whatley of 55 Montgomery St., SE, and Mrs. Oscar Stewart, 37 Montgomery St., SE.

The Real Estate Commission, which has the power to suspend or revoke licenses, will conduct a hearing in the case in June.

The complaints were sent to the commission at the behest of Mayor Hartsfield, who noted that land cannot be zoned for use by any specific race.

"We have had numerous complaints that white real estate agents are going in and scaring people by telling them the mayor has ordered the land zoned for Negroes," he said.

"Any time any citizen, white or Negro, will give an affidavit to such practices, I will personally aid in prosecuting the case before the Georgia Real Estate Commission," he added.

Hartsfield said that most complaints come from the DeKalb County section of the city.

Another Cross Is Burned In Atlanta Area

A cross was burned early Tuesday morning in front of a house occupied by a white family in a newly segregated neighborhood in Southeast Atlanta, police reported.

The burning cross was spotted by a Negro woman who recently moved into a house next door to the spot where the cross was planted by persons unknown to police.

The victim of the incident, police said, was W. B. Crow, 43, of 1416 Meridian St., S. E.

The report on the fiery cross burning in Crow's yard was said to have been telephoned to police by a Negro woman neighbor, identified as Mrs. Olivia Thomas, 26, of 1406 Meridian St., S. E.

Mrs. Thomas was quoted by police as saying she heard noises outside of her home and investigated, but found no signs of life. Shortly afterwards, she again heard noises and this time she saw a cross burning in Crow's yard.

She was quoted as saying she called police. When Patrolmen S. B. Powell and C. E. Weeks arrived on the scene, they awakened Crow to tell him of the incident.

Police said the fiery cross was immediately extinguished, and that no one was seen either at or around the scene of the incident.

Arson Probe Begins In Burning Of House Here

Atlanta Daily World, Atlanta, Ga.

Fri. 6/10/60 P. 1

New Owner Preparing To Move In As Blaze Start

A fire, believed to have been deliberately set, destroyed portions of a house located in a "disputed area" early Thursday morning, only hours before a woman was to have moved into the structure, police said.

Fire equipment from at least two fire department companies answered a call to the scene and extinguished the blaze before the house was completely ravaged by fire.

No one was reportedly injured in the fire that raged through the rear quarters of the house. A woman, identified by a realty company official as Mrs. Charlie Mae Kelly, was scheduled to have moved into the house later Thursday. The house was rental property located in a predominantly white neighborhood, and the victim of the blaze listed in police accounts of the incident was Wilson Realty Co., a Hunter St. real estate concern.

Police and fire department officials said they believed the blaze was the work of an arsonist. Police said the fire was started underneath the rear of the house and then spread into the house proper.

The damaged house is located at 1408 Woodbine Ave., S. E. and is situated in what is commonly termed a "disputed area."

Fire department officials said they had answered a false alarm to that same address Wednesday afternoon.

Bob Wilson, head of the real estate company that controlled the property, said Mrs. Kelly had been moving several pieces of heavy furniture into the house Wednesday. He said she was to have completed moving Thursday.

Wilson said the roof of the house was burned in at least two rooms. The real estate executive added that the fire appeared to have been a relatively minor one, but he said the majority of damage to the building was done by water that was used to fight the blaze and by the fact the roof in the rear of the

Police said several white-owned houses surrounding the fire-damaged building displayed "For Sale" signs in front.

One white-owned house immediately next door to the burned structure displayed a sign that proclaimed "white area," police reported.

Several of the white families in the area who have placed their homes on the real estate market reportedly told police they have received threatening telephone calls, apparently because they are selling their homes.

Police said they were told by area residents that the white family that occupies a structure next to the burned house had been in neighborhood meetings "concerning these things."

Arson was pegged as the explanation for the pre-dawn fire. An arson investigator assigned to the fire department was quoted as saying the fire was started by a flammable liquid. He said plant growth along the rear of the house had apparently concealed the unidentified firebug while he was at work on the shingled house.

Two city detectives were assigned to work with fire department arson squad investigators in solving the fire incident.

A solution to the fire incident was made an arrest necessary by the facts of their investigation.

CHARGES DISMISSED IN HOME-MOVING INCIDENT

Criminal charges have been dismissed against a Negro man who reportedly tried to move into an all-white Southeast Atlanta neighborhood when it was discovered that he was arrested for an alleged violation of a non-existent city ordinance.

The Negro man, L. C. Freeman, 40, was arrested Thursday night during a dispute sparked when he and his family began moving into a house located in an all-white neighborhood on Montgomery St. S. E.

Patrolman E. S. Carter and P. L. Mote had booked Freeman on charges of disorderly conduct—moving at night. The same charge was also leveled against Willie Frank Price, of Decatur, a truck driver.

Carter admitted in Municipal Court Friday that he booked the charges against the men Thursday night and later discovered that a city ordinance covering such cases had been repealed.

FURNITURE UNLOADED

Carter and Mote said they received a call to the Montgomery street address at 10:32 p. m. Thursday and found Freeman and Price unloading a truckful of furniture into the house and a crowd of white people gathered outside.

Residents of the area testified in court that the moving was accompanied by "shouts and banging."

But the dispute over the Negro's ownership of the house in the white section was apparently resolved in court Friday. Freeman told Judge James Webb he would be willing to sell the house back to the man from whom he had purchased it.

The seller, Harry Malco, told the court that he would take back the house at 31 Montgomery St. Webb dismissed the charges of disorderly conduct—moving at night against Freeman and Price.

Judge Webb asked Freeman if he was the first Negro family to move into that section, and Free-

man replied, "Yes, but I was told that it had been zoned for colored."

Webb explained that there was no such provision under the law and asked if the agent was present.

Malco said he took the house in exchange for another piece of property and understood at the time that homes there were for sale to Negroes. He said that he found, after the transaction, that residents had held a meeting and decided not to sell. "I was caught in the middle," Malco pleaded.

Puts Blot on '59

Race Relations Hampered By Deerfield Housing Bias

DEERFIELD, Ill. — Whatever advances might have been made in race relations in the Chicago area during 1959, the infamy of Deerfield has all but obscured them, and has cast a dark shadow over the coming year.

For, as became increasingly evident last week, the controversy over whether integration shall come to the all-white suburb is just beginning to warm up.

A Federal judge is expected to rule this week on a civil rights suit filed by the builders of the disputed project in which they seek \$750,000 in damages from 21 defendants, included the Deerfield park board.

The court action by a Progress Development Corporation, builders of the subdivision and a subsidiary of Modern Community Builders, Inc. of Princeton N. J., came less than 24 hours after Deerfield voters approved a bond issue to acquire the property on which the homes are to be located.

Federal District Judge Joseph Sam Perry issued a temporary order to restrain village officials from continuing the harassment which has three-times brought a halt to construction of two model homes on the grounds that building codes were being violated.

JUDGE PERRY indicated that he would not issue an injunction to halt the village in condemnation proceedings to take over the property, but he said:

"I do not feel that I can interfere with the lawful acts of these individuals (village officials) but I do expect good faith in carrying out their business. If it is eventually found that they have acted in unlawful conspiracy, they will have done so at their peril.

The Progress suit charged that

the defendants, including two civic groups which have tried to block the project, are in violation of the 14th Amendment to the Constitution and five sections of the United States Civil Rights Act.

DEFENDANTS INCLUDE: James C. Mitchell, president of the park board; Joseph Koss, president of the village board; Joseph G. Powell, president of the Deerfield's Citizens' committee; Harold C. Lewis, chairman of the North Shore Residents Association, and several members of each of the four groups.

On the day before the suit was filed, the voters of Deerfield turned out in record numbers to approve, 2,635 to 1,207, the park board's belated effort to secure the land. However, Dr. Arthur G. Falls, board chairman of Progress, said: "We have no alternative but to take the proper legal steps to protect our interest. We intend to build homes. We have not deviated one iota from our original purpose."

MORRIS MILGRAM, president of Modern Community Developers, said: "This goes beyond mere financial investment. There is a moral issue at stake. We are going to carry through successfully the right of all people to live as they please."

He pointed out that other interracial projects built by his firm in Pennsylvania and New Jersey had experienced no racial disturbances.

Defendants in the suit insisted that their actions had nothing to do with racial matters. Lewis, chairman of residents' association, said his objections to the project were based on the "methods of the builder to deceive the community."

VILLAGE PRESIDENT Koss declared: "I'm afraid that they imagine everything that happens has to do with integration. Our building regulations are the same for all in Deerfield."

Mitchell, president of the park board, said they will not seek to acquire the property until their position has been "upheld" in court, but he added: "I think the gauntlet has been thrown down and I think we will pick it up."

HE SEEMED angered by the fact that apparently the suit was in the process of preparation even before the outcome of the bond issue was known.

John W. Hunt, vice president and counsel for Progress, disclosed that 51 of the unbuild homes in the interracial project have already been sold to white families. He said that there have been other applicants, one-third of them Negroes.

Hunt, who is a partner in the law firm of Adlai Stevenson, said that all of the white applicants, with one exception, live on the North Shore.

Jurist Asks For Calmness In Deerfield Spat

Federal Judge Joseph Sam Perry Thursday appealed to the building commissioner of Deerfield, to "lean over backwards" in his dealings with the builders of an interracial housing development in the north shore suburb.

The jurist made the appeal during a "cooling off" meeting in court between Deerfield officials and representatives of the Progress Development Corp.

ress Development Corp.

He urged both sides in the controversy to "try to work this out like cultured, refined civilized people."

On Tuesday Judge Perry issued a temporary order restraining the village from harassing the building firm.

Progress Development Corp. plans to build 51 homes in the suburb and sell 10 or 12 of the homes to Negroes. The plan met opposition from village officials and citizens.

Deerfield Monday voted to approve a bond issue which would provide funds for the purchase of six tracts of land in the village, three of which were to be the site of the interracial development.

The village is seeking to condemn the land and convert it into a park. Immediately following the referendum on the bond issue, the builders filed a suit in federal court against 21 Deerfield citizens and officials to present the park district from converting the land and requesting \$750,000.

Judge Perry told Robert E. Bowen, Deerfield Building Commissioner:

"I refused to interfere with the lawful conduct of your office."

But he warned that he was familiar with the ways of local politics.

Deerfield Project Damaged

DEERFIELD, Ill. (AP) — Vandals caused an estimated \$1,000 damage Friday at the site of an integrated housing development.

Police Chief David Petersen said someone hurled 18 metal window frames and a quantity of lumber from one of the two-story model homes being constructed in the development.

It was the second case of vandalism in a month involving the housing project which has met with opposition from some residents of the all-white community of 10,000 north of Chicago.

The damage estimate was made

by Max Weinrib, executive vice president of the development firm.

The firm plans to build 51 homes in the development and sell 10 to 12 of them to Negroes.

Seek \$750,000 Over Deerfield

DEERFIELD, Ill. — (UPI)

Voters in this all-white Chicago suburb rejected integrated housing and developers promptly set for \$750,000 in federal court charging civil rights violation Tuesday.

Federal Judge Joseph Sam Perry set a 3 p. m. session for hearing a petition to enjoin Deerfield officials from interfering with a building program that would bring Negroes into this North Shore community.

DEERFIELD — (UPI) — The Deerfield Citizens for Human Rights, a group in favor of integration in this north Chicago suburb, said it received a letter from the White House expressing President Eisenhower's interest in the community controversy which is gaining national attention.

The group announced receipt of the letter following a village referendum vote which favored — by more than two to one — condemning the land slated for an integrated sub-division. Citizens voted to turn the 51 acres owned by a homebuilding firm into a community park.

The letter, signed by E. Frederic Morrow, administrative officer of special projects group under the President, said Eisenhower had asked Federal Housing Administrator Norman P. Mason "to study immediately the situation in Deerfield."

APPROVED PLAN

A total of 2,635 persons of the village's 4,500 registered voters approved a proposal to issue \$550,000 in bonds to "enlarge the park system." The minority vote was 1,208.

The Park Board would have to file condemnation proceedings to acquire the land specified in the referendum, which includes two

tracts on which Progress Development Corp. had planned a 51-home development.

The organization charged that the firm earlier rejected a park board offer to buy the land for "planned and calculated deception" that may cost the citizens of Deerfield hundreds of thousands of dollars.

REJECTED BEFORE Adrian Ringette, Chicago attorney and chairman of the Citizens for Human Rights, said his two similar proposals had been rejected at the defeat earlier this year, before the morality, justice and reason Progress Development announced

Chicago Paper Spells Out Segregation

Nationwide publicity given resistance by Deerfield Village, a Chicago suburb, to efforts to contract Negro housing within its limits implies the unusual, the unexpected, the man-bites-dog category of news. No such thing.

Despite the fact that over one million Negroes live in Chicago and environs, the all-white suburb is most common and is far from accidental, the *Chicago Daily News* tells all in a news presentation on segregation in the Lake Michigan metropolis. Not only is the all-white suburb most common, but in Chicago itself, *The News* points out, "there are not many places where Negroes and whites live next door to each other on any lasting basis."

Residential segregation to an extent unknown in the average Southern city is the experience of the Negro moving north to Chicago to taste the "joys" of

Deerfield Defended By Chicago Reader

The following letter, in full, was printed in the letters-to-the-editor column, *Chicago Daily News*, Dec. 28. No comment necessary.

Deerfield is a rousing young lusty suburb—like it to a young child developing a taste for food. Any mother will tell you that force-feeding is never the way to develop good eating habits.

"The youngster must be shown that it is not harmful, and must be led, not forced."

"Civil rights seems to be the issue of the builder. How about the desire of the residents who moved there to organize a community of similar interests, tastes and backgrounds? Surely, their civil rights, their investment, should not be jeopardized."

"We all know that the moving trend to the suburbs is to get away from certain city conditions—the newcomer, the uneducated, the skid row addict, those of different racial backgrounds."

"Citizens who feel so strongly about conditions that they have moved their families to a safe, distant suburb to protect them, should also have their civil rights respected."

"Why should an exploiter from New Jersey descend on the Middle West to force integration in a community yet unready? Was his plan openly discussed in advance? Or did secrecy and greed motivate this outsider and darken his compassion?"

"The furor, which publicizes his 'noble aims' at integration, only serves to bolster his ego. It would be interesting to know who and what brought him to this particular community."

"Difficulties within a house can often be resolved by patience and understanding. Force is objected to, such as 'taxation without representation'; 'freedom of religion'; 'sitting ducks do not make the most deli-

cious meal. They're too full of shot. 'MARIE N. WARTELL, Chicago.'"



integration. And in ratio, of course, to residential segregation is public school segregation, albeit no Illinois law requires it.

Stirred no doubt by the furor over attempts to force Deerfield to accept Negro housing, the *Chicago Daily News* investigated the situation. It found that over half the 175,000 Negroes living in suburban areas reside in industrial Gary and East Chicago, both in Indiana. Several suburbs to the south of Chicago and many to the west and north, including Adlai Stevenson's home town, Libertyville, have no Negro householders at all.

The *News* says "only about 25 suburban towns show sizable numbers of Negro residents," implying by the "only" that Deerfield is one of a majority of the Chicago suburbs that refuse to adjust themselves to what we of the South are told are "today's realities." In that group are many of the older and larger suburban towns.

As for corporate Chicago itself, despite great integration pressures of the 1950's, the last 10 years of Negro migration to that city have only increased in size the segregated ghetto areas rather than brought any residential mixing. An accompanying *Daily News* map showing areas of Negro residence graphically illustrates the *News*' conclusion that, with some exceptions, Chicago and its surrounding suburbs follow strict patterns of segregation in accommodating Negro

Negro residents. Whether the South is unique in its racial concepts or not, it most assuredly achieves uniqueness by comparison of white Negro urban residential patterns with that of Chicago. "Down in the quarters" would not be too unapt a descriptive phrase around "Chicagoland," as they like to call it.

—From The Chicago Daily News.

Residential integration, Chicago-style: Shaded areas are those in which at least 25 per cent of residences are occupied by Negroes. (Difference in shading represents chronological Negro occupation, not density.)

Chicago Leaders Blast Deerfield

Chicago Defender

While deploring the action of a majority of the people of suburban Deerfield, many Chicago leaders see hope in the fact that a sizable minority in the village opposed a bond issue. Sat. 1-2-60

The bond issue was interpreted in some quarters as a means of getting around plans of peace and goodwill and this will continue to be our policy. "I hope that 1960 will bring greater understanding."

Money from the bond issue will be used to buy up six tracts of land, three of which were to be used for the housing development. Village officials said they plan to use the land for parks. Deerfield voters Monday approved the bond issue by a two to one vote.

The Progress Development Corporation announced last month that it planned to build 51 homes in the village, with 10 or 12 of the homes to go to Negroes. The announcement touched off a heated controversy which has landed in federal court.

Many Chicagoans see the Deerfield situation as not being confined to the village. They see it as a problem for the entire Chicago area.

Asked what they think of the Deerfield situation, Chicago leaders commented freely.

Mayor Richard Daley said: "We know we have a problem and we have addressed ourselves to it. We are trying to bring about

merly lived on the Southside of Chicago.

Ald. Kenneth E. Campbell (20th ward) stated that "Deerfield has served a useful purpose in pointing out the need for necessary democratic and legislative steps to correct problems of this kind."

Ald. Benjamin F. Lewis (24th ward) asserted:

"It is a sad commentary that they have to put a thing of that sort to a vote. It is a sad state of affairs for America."

Leon M. Despres, alderman of the Fifth ward, observed that:

"The willingness of a great many Deerfield citizens to stand up and be counted in favor of free access to housing for all Americans is most encouraging."

"Discrimination, for race and religion, in the sale, rental, and financing of housing is the number one problem in the development of Chicago and the metropolitan area."

Mrs. Edith Sampson, assistant corporation counsel, expressed optimism about the vote and overall situation in Deerfield, and predicted that the "bigots can't win."

Atty. Mark J. Satter sees the problem in terms of the over-all restrictions faced by Negroes in obtaining housing. He said: "The basic problem — that is depriving Negroes from having homes — is the result of a conspiracy of the money lenders who refuse financing to Negro people. 'These finance practices are worse than the village (Deerfield) action.'"

Satter pointed out that the 12 Negro families who will be affected by Deerfield don't "need Deerfield."

NOT SURPRISED

A. L. Foster, executive director of the Cosmopolitan Chamber of Commerce, was not surprised at results of the balloting in Deerfield.

"Every time they (white people) have voted, they have voted that way. I have been saying for years that, if given a chance to vote, the majority of white people would vote to deny all rights to Negroes."

"Deerfield proves the myth that if Negroes are on an economic and cultural level with whites they will be accepted."

"I feel badly that the voting confirmed what I suspected of being a fact."

PRIMITIVE LEVEL

Edwin C. Berry, executive director of the Chicago Urban League, said the situation points out what he termed "the primitive level of race relations in the Chicago area."

Federal Court Starts Hearings

Deerfield Case to High Court?

DEERFIELD, Ill. — A heated controversy over who has prior rights to two parcels of land has added another knot to the already tangled integration battle in Deerfield, and this time the builder of the disputed interracial housing project could stand on the sidelines while Deerfielders fought among themselves.

The new feud sprang up when School Board 100 charged the Deerfield park board with attempting to take over property which the school board has been seeking to acquire. The property adjoins the 22 acres on which Progress Development Corp. is building an interracial subdivision.

William S. Jacob, attorney for the school board, said that integration was the issue in a recent referendum in which Deerfielders voted funds to acquire the properties. He added that there was a great deal of "uncertainty" in the Dec. 21 bond issue.

MEANWHILE, other developments were bringing the dispute nearer to a climax. Federal District Judge Joseph Sam Perry began hearings in the suit brought against the village by the builders. The judge earlier had ruled that he had jurisdiction in the case since it included alleged violations of civil rights.

The suit seeks an injunction to restrain village officials from interfering with construction of homes in the interracial project, an injunction to block the Deerfield park board from acting in a state court to obtain the builder's property through condemnation proceedings, and a judgement of \$750,000 in damages.

JUDGE PERRY was not required to rule on a defense motion that Progress Development Corp. produce its records for inspection by the opposition. An attorney for the firm said the records were available.

The judge promised to conduct the hearings as speedily as possible, envisioning that the argument would probably be taken to state courts, possibly all the

way to the Supreme Court. He stated:

"If it is ultimately determined that there should be hearing on the merits of this (civil rights) case, a jury will be empaneled and the case will be tried at an early date. It is the intention of this court to expedite this matter since the court considers it an emergency case.

"The court will give immediate and full attention to this case, so that without any delay, it may be taken up, on appeal, to the higher courts, as I am certain it will be, regardless of what decision may be reached in this court."

AFTER THE hearing, Morris Milgram, whose Princeton (N. J.) firm is financing the project, and George B. Christensen, attorney for several of the defendants, held an impromptu debate outside the courtroom.

Milgram stated: "This is a most important case. It raises questions affecting the rights of all U. S. citizens to buy land, build houses and live where they please."

Christensen retorted by charging that Milgram is also guilty of discrimination by placing a quota on the number of homes in the project which will be sold to Negroes.

THE LEGAL and verbal sparring came a few days after racist vandals took a more physical approach to the matter. They ushered in the new year by doing an estimated \$1,000 damage to the model homes now under construction in the project.

Deerfield Police Chief David Petersen said the vandals hurled 18 metal window frames and some lumber from one of the two houses under construction.

He said police had checked the site a few hours earlier and found nothing wrong after receiving a complaint about prowlers.

Begin Court Hearings In Deerfield Case

The builders of a proposed integrated subdevelopment were scheduled to go to federal court Friday to seek injunctions against officials of the all-white suburb where the inter-racial housing is planned.

Federal District Judge Sam Perry ruled Wednesday that he has jurisdiction to hear the suit by Progress Development Corp. against officials of Deerfield.

The builders have filed a three-part suit asking:

—An injunction barring village officials from obstructing construction on the site.

—An injunction blocking state court condemnation proceedings against the land where the homes are to be built.

—Damages of \$750,000 from 21 defendants on charges they tried to block construction.

Perry said he had jurisdiction in the case since the suit asked damages for an alleged civil rights violation.

Progress Development has announced plans to build 51 \$30,000 homes on the site and sell 10 or 12 of them to Negroes.

Deerfield residents recently gave 89 per cent approval to a bond issue which would put up \$550,000 to buy the site for a park. Village officials immediately began proceeding to condemn the land.

Perry said he will empanel a jury to hear the firm's damage suit if he finds sufficient merit to grant the injunctions.

Chi. suburb enters third peaceful integration week

CHICAGO — Nearby Park Forest enters this week into its third week of peaceful integration since the family of Charles Wilson moved in.

Integration in this suburb is in contrast to the situation in nearby Deerfield where protests were launched against the establishment of an integrated housing development.

Mr. Wilson is an assistant professor of economics at DePaul University. With him are his wife and three children. Their \$25,000 home was purchased from a former member of the village's Human Relations Commission. Robert Dinerstein, village president, commented:

"We're optimistic now that there is going to be no trouble here. But I wouldn't pretend for a minute that everybody in Park Forest is happy about integration."

He emphasized that village policy is "to extend the full protection of the law to all citizens without discrimination — and you can bet that's what we'll continue doing."

Model Illinois Community Integrates Quietly

CHICAGO — (ANP) While neighboring Deerfield was fighting over whether to admit Negroes to the community, the village of Park Forest entered into its second week of peaceful integration Saturday after the first Negro family moved into the area last Dec. 23. Charles Wilson, an assistant professor of economics at DePaul university, and his wife and three children became the first of their race to live in the fashionable community since it was founded 10 years ago.

Social Boycott Organized To Deter Mixers

PARK FOREST, Ill. (UPI) — Leaders of a white association today planned a "social boycott" against the only Negro family in this model Chicago suburb.

"Our children won't be permitted to play with Negro children," Herschel W. Ward, 52, one of the group's founders, told United Press International.

Deerfield Gets Title Formally

DEERFIELD, Ill. — (UPI) — The title to a hotly-disputed integrated housing area reverted to the Village of Deerfield Wednesday.

But the project builders, Progress Development Corp., said it would appeal condemnation of the area to the Illinois Supreme Court on grounds the village won its case on a ruse.

Village officials sought condemnation of the area to build a park, but progress officers said that was merely a cover-up to keep Negroes out of the all-white Chicago suburb.

The firm also had appealed to the U. S. court of appeals.

The village deposited \$168,000 with the county treasurer to pay for the 22-acre site. Payment will be upheld until the court battle ends.

Deerfield Home Hit By Vandals

Chicago Defender
Chicago Ill.
DEERFIELD, — (UPI) — Vandals raided the site of a proposed integrated subdivision in this all-white suburb and caused \$1,000 damage, police have reported. Eighteen metal window frames and a stack of lumber were tossed from a two-story model home now under construction, police chief David Petersen said.

Petersen said the vandalism apparently occurred early New Year's Day. A neighbor reported noises at the subdivision and called police, who stopped two autos in the vicinity, but released their occupants after questioning.

Max Weinrib, executive vice president of the Progress Development Corp., builders of the subdivision, said the vandals hoped to delay construction on the integrated project.

This wealthy community has been torn into warring camps by the builders' announcement that they plan to build fifty \$30,000 homes on the site and sell 10 or 12 of them to Negroes.

Deerfield residents recently voted a bond issue to condemn the site and buy it back but Progress Developers immediately filed a federal civil rights suit against village authorities seeking to block the condemnation.

Police said the New Year's vandals badly damaged most of the materials. Weinrib said he would follow police advice to floodlight the building sites.

Chicago Daily Tribune
**PERRY TO HEAR
PLEA TO ENJOIN
DEERFIELD AIDS**
Chicago Ill.
**Housing Testimony to
Open Friday**

Judge Joseph Sam Perry decided Wednesday to hear the Deerfield housing case in

which a New Jersey building firm is seeking to integrate Negroes into 20 per cent of the homes it is building there.

Judge Perry said in federal District court that he will begin taking testimony Friday on whether a preliminary injunction should be granted against the village of Deerfield and the Deerfield park board to prevent harassment of the builders, the Progress Development corporation, 3317 Foster av.

Under Restraining Order
Judge Perry issued a temporary restraining order against the village and park boards Dec. 28, later continuing the order until Jan. 9.

After the question of the injunction is decided, Judge Perry said, he will hear another motion to prevent the village and park boards from condemning the 21 acres of property on which the integrated housing project is contemplated.

If it is found that the Progress Development corporation has just cause for seeking the \$750,000 damages it demanded in a civil rights suit filed last month, he will call a jury trial of this suit, he said. The suit alleges that the company's rights under the 14th amendment and the United States civil rights act were violated.

Assumes Jurisdiction
Judge Perry, who earlier had indicated that he might not hear the case, said Wednesday that if it had been only a suit to enjoin the village and park board from blocking construction of the 51 proposed homes, 12 of which are to be sold to Negroes, the court would have had to decline jurisdiction.

Since there was a civil rights charge and claim for damages, he said, "the court

will assume equitable jurisdiction of this cause . . . as necessary in aid of its jurisdiction of the claim for damages, and in order to decide whether there are sufficient facts to support the allegations and to warrant the court in granting an injunction."

Attorneys for the North Shore Residents association, which opposes the integrated housing project, are seeking dismissal of the federal action. They have filed motions, including one for all records of the building corporation, which attorneys for that firm agreed to furnish to the court.

Seek Condemnation

The Deerfield park district filed a condemnation suit Dec. 24 to acquire all 22 acres of the area in which the project is planned, after approval of a \$500,000 bond issue by Deerfield voters by the largest turnout in the village history. This suit, in Lake county Circuit court, is not involved in the federal action.

"The court is not at this time passing upon any of the motions to dismiss," Judge Perry said. "These motions are being continued under advisement until the court has taken the evidence to determine whether a preliminary injunction should be granted."

"It may very well be that after the taking of that evidence, the court will be in a position to pass upon all motions that have been filed."

"If it is ultimately determined that there should be a hearing on the merits of this cause, a jury will be impaneled and the case will be tried at an early date."

Held Emergency Issue

"It is the intention of this court to expedite this matter since the court considers it an emergency case."

Defendants in the federal damage suit number 21, including the individual members of both village boards and eight officers.

Morris Milgrim, president of the Modern Community Development corporation, Princeton, N. J., parent

corporation, told reporters, "We are of course pleased that Judge Perry has decided that the federal court should hear this entire suit."

He said that his company, which has built four integrated housing communities in the east, came to the Chicago area at the invitation of the American Friends Service committee, "and some people who lived on the north shore."

Have 1,000 Investors

He said his company built Green Belt Knoll, a 19 home project and Concord Park, a 139 home project in Philadelphia, and two in Princeton, N. J., totaling 40 houses. The Green Belt project is two-thirds white, he said, and the Concord Park development is 55 per cent white and 45 per cent Negro. The Princeton homes were sold to 10 Negro families and to 30 white families.

"Modern Community Developers have 1,000 investors who put up \$650,000 in a common stock issue," he said.

U. S. Court Throws Out Deerfield Suit Board May Proceed With Condemnation

*Chicago, March 4 (P)—*Promoters of an integrated housing project in all-white Deerfield Friday lost a legal battle to prevent condemnation of its land.

United States District Judge Joseph Sam Perry dismissed a suit by the builder, Progress Development Corporation, for an injunction to prevent the Deerfield Park Board from taking the land for a park site.

Judge Perry also ruled that the builder's controlled-occupancy plan was itself racial discrimination.

Will Appeal Ruling

Morris Milgrim, president of Modern Community Developers, Inc., parent concern of Progressive Development Corporation, said Judge Perry's decision

would be appealed "all the way to the Supreme Court if necessary."

Deerfield is an all-white community of some 10,000 population in the suburban area northwest of Chicago.

Progress Development Corporation bought two tracts of land in the community as the site for 51 homes in the \$30,000 price range and announced 10 or 12 would be sold to Negroes. The Deerfield Park Board thereafter sued in Circuit Court in Lake County, in which Deerfield is situated, to condemn the land for recreational purposes.

Conspiracy Charged

The builder brought suit in United States District Court to prevent the condemnation, charging Deerfield officials with conspiracy and violation of civil rights.

Judge Perry's ruling paved the way for the Park Board to go ahead with its condemnation suit in the State court.

Judge Perry ruled that no civil rights had been violated, and the controlled-occupancy pattern which the builders proposed is a racial discrimination and a violation of the Fifth and 14th amendments to the Constitution.

More On Deerfield

Ardent senatorial advocates of strong civil rights measures in the U. S. Senate would have the public believe they are so driving because of great constituency demand for such action.

The illusion that Northern people generally are all-fired hot about integration and the need to remove it long ago began falling apart. None should have difficulty remembering white parents' protests of mixed schools in part of New York, or the wide variety of protests as New York state tries to force businesses to hire Negroes, or the Deerfield Village uproar in Chicago a few weeks ago.

Remember Deerfield? A private developer set out to put up a deliberately mixed housing project in the \$30,000 price range. The Deerfield citizenry rebelled and the city council began moves to prevent the development through condemning the land on which it was to stand for a park. Litigation began.

Now there is further evidence of reaction against integration moves in that area. The treasurer of a Deerfield pro-integration movement has been fired from his job because of his activity for integration. And a lawyer who is on the

board of the development company says he had his bonus withheld because of his connection and has been told to resign or be fired. Of course after giving the news to the press, he's fired.

Now, business reasons—desire not to have employees involved in controversial matters—is typical anywhere. But this particular controversy in the Chicago area is something of especial significance.

The firing of the two men means that company or law firm believes there is enough anti-integration sentiment in the area to make it risky to employ men who are actively involved in an integration effort.

It is one more evidence. It makes more ridiculous the pro-integration civil rights campaign. The hard fact is that only a minority of people anywhere in the United States believe in the advisability of general racial mixing. Some individuals may believe it is their Christian duty to be for mixing; some sociological minded people obviously are dedicated to it. But approve or not, the evidence is clear that it is the natural impulse of millions upon millions to turn away from integration.

SEES SUBURBS ENDING BIAS IN HOUSING FIRST

Chicago Daily Tribune
A sociologist predicted Thursday that housing integration will occur in some Chicago suburbs, before it happens in parts of the city itself.

Dr. Paul Mundy, associate professor of sociology at Loyola university, also asserted that juvenile delinquency will continue to rise, especially in the suburbs.

New Outlook in 50 Years

But the role of the child dominating the home is on the wane, he told a luncheon meeting of the university's alumni forum in Marshall Field & Company's Loop store.

"Fifty years from now, people will look back in wonder at what the excitement about residential integration was all about," said Dr. Mundy.

"This will come about, on the part of the white populace, because of greater social self assurance and educational attainment and the dying off of the deeply prejudiced. From the Negro point of view, it will be brought about by larger numbers moving into middle class status with urban skills, higher incomes, and educational and cultural achievement."

Sees Changes in '60s

He cited Deerfield and Park Forest as indicative of eventual suburban integration.

Such changes will be spurred in the decade of the '60s, Mundy asserted, by vigorous support from religion and government in the forms of programming and legislation.

The family ruled by its

child or children should be modified by suburban parents of the future with their higher income and educational levels. They'll be better able to "recapture their traditional role of experts and guides to children," Mundy said.

"Rootlessness" Mounts

In the past, many families fell under the rule of the younger generation because the parents were immigrants and unable to cope with American language and culture as fast as their children, he added.

Mundy said that a "mounting problem of community rootlessness is developing with our highly mobile, residentially unstable kind of life." But he theorized that maturing of suburban developments might change that.

He also forecast that in the future religious groups in the city will cooperate with one another more and more in attacking community problems.

But he saw only a mounting tide of juvenile delinquency as larger numbers of children moved into adolescence with the "increase much more spectacular in the suburban area."

Says U.S. Integration Rests In Deerfield Case

The fate of integrated housing in all America depends on whether the courts will uphold the right of condemnation without regard to motive or intent, an American Freedom of Residence Fund official has stated. The Rev. Ross A. Weston, chairman of the organization seeking funds to fight the court battle for integration in Deerfield, asked can opposition to freedom of residence be cloaked by using the right of eminent domain?

A Lake County judge's decision against the project builders is being appealed to the Federal Court of Appeals. During the period of litigation, the builders are completing their model homes on the Deerfield site, confident that integrated housing can and will be built there, the official said.

The Rev. Mr. Weston said the fight of Modern Community Developers and Progress Development Corporation for the right to build integrated housing in Deerfield is the fight for integrated housing in all America.

"It must not be lost," he cautioned.

One of the primary tasks of the American Freedom of Residence Fund is to win the Deerfield fight, he stated. "But this will take money—now," he added.

The chairman urged that contributions be made payable to the organization's treasurer, John A. Lapp.

Deerfield Group Agrees to Price

CHICAGO (ANP)—The sponsors of a proposed interracial housing development in Deerfield, a Chicago suburb, decided last week that the site is worth \$168,500, but announced their intention of continuing their legal battle to uphold the principle of open occupancy.

The Deerfield Park Board and Progress Development Corp. agreed on a sale figure for the 22-acre tract in the suburb, their attorneys announced.

The agreement eliminated the need for a jury trial to decide the value of the property.

Deerfield voters approved condemnation of the site of the project for parks and school use last December after the developers revealed that some of the houses would be occupied by Negroes.

The developers are still involved in two court fights to halt the park board condemnation proceedings.

The company has appealed to the Illinois Supreme Court to reverse a decision by Judge Decker that the civil rights issue is no involved in the condemnation proceedings.

A plea also is pending in the U. S. Court of Appeal on a ruling by U. S. District Court Judge Joseph Sam Perry. Perry held that the condemnation was not necessarily a violation of civil rights and that the company had not exhausted the remedy of lower courts.

He said the company paid \$113,000 for the 22-acre site which was then unimproved. The firm since built two houses on the property.

INDONESIAN WIFE

Dutch Family Forced to Move

PEORIA, Ill., Sept. 3 (AP)—This is moving day for the Van Mouweriks, the end of a bitter chapter in their new life in America.

"In Europe," said Bernardus Van Mouweriks, young Dutch husband and father, "We thought that discrimination was only in the South. But now we know different."

"In this country, it is in the South, North, East and West."

Bernardus said he, his wife Geertje and their two small children are moving out of Peoria because they could not find the housing of their choice because of the color of Geertje's skin.

HER COMPLEXION is dusky. She is Indonesian by birth.

When they first came to this central Illinois city last April 27, they ran head on into trouble. An apartment reserved for them by a sponsoring church group was no longer available. They were forced to take cramped quarters in a public housing project.

The Rev. Howard H. Keim, pastor of the First Church of the Brethren, which brought the family from Amsterdam, told a reporter that in the last four months he and other members of the congregation have attempted to find more suitable housing.

"BUT WE ran into this racial thing," he said. The Van Mouweriks have gone through a period of disillusionment.

Van Mouwerik, 34, said the family could not continue to live in the project. Besides the cramped living conditions, he said, their

SATURDAY they set out for Eureka, Ill., 18 miles to the east, where another Indonesian family has rented a house for them, with a lawn for the children to play on. Van Mouwerik will commute to his job in a small manufacturing plant in East Peoria.

The congregation which offered a helping hand at the outset offered again to help, this time to get the family relocated.

Biased Group Called 'Shame' Of Deerfield

DEERFIELD, Ill. — The citizens of this Chicago suburb were squirming uneasily this week under increasing pressures against their determined fight to prevent the building of an interracial subdivision in Deerfield.

Social agencies, church groups, civic organizations, and even the courts were making it plain to Deerfield's segregationists that the stand they have taken is not one to be viewed with pride and that the actions they have used to stop the building have a slight taint of illegality about them.

Construction of two model homes by the Progress Development Corporation was resumed last week after Robert Bowen, building commissioner, under court order, lifted a ban which he had placed because of alleged violations.

Bowen said the ban was lifted until Jan. 7, when he will submit the matter to the village zoning board of appeals. The village is under a temporary court injunction not to interfere with or harass construction of the model homes.

MEANWHILE, a hearing was scheduled in U.S. District Court on a motion by the Deerfield Park district to exclude it from a \$750,000 suit filed by the builders. The board contended that the Federal Court does not have jurisdiction in the case.

John W. Hunt, vice president and counsel for Progress Development Corp., said the challenge to the court's authority was "a stall to the village can succeed with its illegal condemnation suit in Lake County Circuit Court."

The suit by the builders seeks restraining orders blocking the

ILLINOIS

that have served to becloud the basic issue, which is theological in nature.

This basic issue is prejudice, in this case, group prejudice."

The office of the diocese said that the Rev. Jack D. Parker, rector of St. Gregory Episcopal Church in Deerfield, also agreed with this statement of principle.

It was the Rev. Mr. Parker who raised the first hue and cry when he discovered that homes in the new subdivision would be sold to Negroes.

Group Seeks Court Order In Deerfield

CHICAGO (AP) — A citizens' group opposing a planned racially integrated subdivision in suburban Deerfield Tuesday sought a court order to compel the builders to show how they intend to allocate homes among Negroes.

George B. Christensen, attorney for the North Shore Residents Assn., a Deerfield group, said the Project Development Corp.'s proposal to sell to Negroes 12 of 51 homes under construction in the all-white community amounts to discrimination.

Christensen appeared before U.S. District Judge Joseph S. Perry with a petition asking that Project Development be directed to turn over records showing how the firm proposed to restrict the number of Negroes in the project.

The Deerfield Park Board has started condemnation proceedings to acquire the subdivision land for park facilities. The builders filed suit for an injunction against village officials to bar interference with the housing project.

Urges Deerfield To Defy Mixing

JACKSON, Miss. — Residents of Deerfield, Ill., opposed to integrating that community were urged not to "give an inch" in their fight against an interracial housing project, recently, in an article which appeared in The Citizens' Council, a publication of the Southern pro-segregationist organization.

Pointing out that Modern Community Developers, Inc., sponsors of the development, plans to construct projects in Iowa and Connecticut, the organ accuses the directors of being "gathered largely from the NAACP, Urban League and American Civil Liberties Union, and representing a host of Communist-front organizations."

The story states that Progress Development Corporation, MCD's Illinois subsidiary, stands to forfeit \$110,000 in surety performance bonds if it doesn't build in Deerfield.

In the battlefront of Deerfield itself, white residents voted 2-1 approval of a bond issue which will enable the Village Park Board to buy up the site of MCD's proposed interracial housing development, it was stated.

Citing the suit which MCD officials have brought against Deerfield officials in Federal District Judge Joseph Sam Perry's court, the publication charges that the corporation has "moved to thwart the will of the majority."

The suit seeks damages of \$750,000 from 21 defendants and a permanent injunction restraining the Deerfield Park Board from condemning the land, and also a permanent injunction restraining the village from interfering with the construction of the house in Floral Park.

Labeling the Rev. Martin Luther King as an "opérateur extraordinaire", the publication ridiculed him for stating that "righteous pressure was necessary to make the unwilling white citizens of Deerfield knuckle under," during a recent appearance in Chicago.

The vehement pro-segregation-

Leader Denies He's Racist

The leader in a fight to keep interracial housing out of suburban Deerfield testified Tuesday that he had nothing against Negroes and only wanted to prevent open controversy.

Harold C. Lewis, chairman of the North Shore Residents' Association, denied in federal court that he was a racist and said that if there was friction in Deerfield it was a matter of politics.

Refused Apartment In Peoria

PEORIA, Ill. — (UPI) — A Dutch family of four, just arrived from Holland under sponsorship of a local church, was refused tenancy of an apartment last week because the wife was Indonesian.

(Ironically the Dutch in South Africa are charged with the violence there).

"Someone was remiss in not telling us the family was not all white," the landlady, Mrs. Ethel H. Oliver, said. "A white man came to rent the apartment. If I had known in the very beginning I would have said 'No.'"

"I think you must understand my position. All of the other tenants — many have lived here for years — are white. I can't afford to incur their enmity," she said.

FIND HOME

Within hours, however, housing was found for the family in a public project.

The Peoria Mayor's Commission on Human Relations said later that it "deplored" the incident.

"The owner's statements are a flagrant contradiction to traditional American principles of freedom," the commission said.

"The new housing is much better," the Rev. Howard Keim of the First Church of the Brethren, which sponsored the family, said. "The rent is less and there's a place for the children to play. The only thing wrong is that someone told them they couldn't live some place else because someone was the wrong color."

SKILLED WORKER

The issue came to a head shortly after Johannes V. a Mouwerik, 34, his wife, Geertje, 33, and their children, Jane, 1, and Lester, 3, arrived from Amsterdam.

Van Mouwerik, a skilled welder and diesel mechanic, is to work for International Harvester.

Mrs. Van Mouwerik, an Indonesian by birth, met and married Van Mouwerik 11 years ago while he was serving the Dutch government at an Indonesian post. They returned to Holland five years ago.

The Van Mouweriks arrived by train from New York. They were met and spent the night at the suburban home of one of the church's members.

GIVE HELP

The Rev. Keim took the Van Mouweriks to the apartment. Members of the congregation had donated furniture to the two-bedroom downtown flat, renting for \$72.50 month.

'Social Boycott' Planned Against Negroes in Suburb

PARK FOREST, Ill. — (UPI)

Leaders of a white protective association Thursday planned a "social boycott" against the only Negro family in this model Chicago suburb.

"Our children won't be permitted to play with Negro children," Herschel W. Ward, 52, one of the group's founders, said.

"What we'll have will amount to a social boycott, but we won't call it that," he said. "What we'll do is ignore any Negroes and anybody who associates with them."

"If any children of any member plays with Negro children, that member will be treated as if he is a Negro," said Ward, a native of Hickman County, Ky.

Park Forest, located south of the city, is the second Chicago suburb to be split by racial troubles. Officials of Deerfield, on the North Shore, have sued in Federal Court to block a proposed integrated housing development.

The all-white pattern of this 30,000-population suburb was broken about Christmas time when Dr. Charles Wilson, an assistant professor of economics at DePaul University, moved into a three-bedroom brick ranch house with his wife and two pre-school children.

Wilson's arrival, Ward said, cut Park Forest property values by 10 million dollars. Ward lives five blocks from Wilson.

Suburb Softens Race Hate Stand

PARK FOREST, Ill. — (UPI)

Supporters of a proposed Park Forest residents' association appeared Tuesday to have toned down their anti-Negro stand.

Herschel W. Ward, 52, one of the founders of the group, designed over the week end, along with two other founders.

Ward had previously announced a harsh policy against integration.

Ward had stated that a policy of "cold shouldering" would be carried out against the one Negro family in the suburb of 30,000 persons.

Albert Miller, one of four Park Forest residents who conducted the meeting, said the group was in favor of "ridding itself of any inflammatory action or statements."

Ward said election of officers would take place as soon as a charter was granted.

Ward indicated the decision on the Negro issue would be decided at a future meeting.

Also at the meeting, intentions of the association were announced. They called for "promotion of common good and general welfare" and other "uplift goals."

Boycott Started Against 'Welcome' Negro Family

PARK FOREST, Ill. — (UPI)

Although leaders in this suburban community of 30,000 spent weeks preparing for the residence of Dr. Charles Wilson, Herschel W. Ward, white, a resident of the village, began, last week, organizing a complete social boycott of Wilson and his family.

Dr. Wilson, an assistant professor of economics at De Paul University, moved in three weeks ago.

But he came only after an extensive program in "planned brotherhood" during which his prospective neighbors for blocks around were informed of his coming and prepared for it. When the Wilsons arrived, they were visited by neighbors and welcomed. The wife of the leader of this development baked them a cake.

WARD, A NATIVE of Kentucky, apparently wasn't converted in the original planning. He says property values have been cut \$10,000,000 by the coming of the Wilsons and vows that members of his group will not permit their children to play with the Wilson children.

"If any member does permit association with the Wilsons," insists Ward, "he will be treated as a Negro."

..This community now joins Deerfield as one of two Chicago suburban towns which are obstreperously objecting to Negro residents, regardless of their social or financial position.

MIXED PROJECT RULED AGAINST

Deerfield Officials Win U.S. Court Fight

CHICAGO (UPI) — Officials of suburban all-white Deerfield won a court fight with a housing developer who wanted to build homes for Negroes in the suburb.

A federal judge ruled against a proposed racially-integrated housing project in the exclusive northern suburb and upheld the right of the Deerfield Park board to seek condemnation of their land.

U.S. district court Judge Joseph Sam Perry dismissed charges by the Progress Development Corp. that village officials tried to halt the project because some of the homes would be sold to Negroes.

The firm had already started construction on two of the scheduled homes.

3-PAGE OPINION

Perry's ruling, delivered in a 76-page opinion, also paved the way for the suburb's park board to proceed with a suit to condemn the sites owned by the development firm.

Perry, referring to the condemnation action, said Progress "has adequate remedy by law" in the state court.

Deerfield voters virtually approved the condemnation on Dec. 21 by authorizing issuance in a special election of bonds to buy new park sites.

Progress had contended that

the park board intended to take its land without due process of law. The firm claimed its civil rights were being violated and sought \$750,000 damages from village officials.

"No civil rights of the plaintiffs have been impaired or jeopardized," Perry ruled.

'MESS OF POTTAGE'

He added that the park board had legislative power under Illinois law to initiate condemnation proceedings to acquire the land.

Perry said this action in no way could be taken as a violation of the developer's civil rights.

The ruling also stated that "if there is to be controlled or forced integration, it most certainly is a matter for action by the people through their government, not by a private concern."

Perry said the housing plan might appear attractive to Negroes at the particular moment but would constitute a strait-jacket.

"It is but a mess of pottage offered in exchange for a birth right of equality," Perry said.

Attorneys for the developers said "undoubtedly there will be an appeal, but first we must study the judge's decision carefully."

NEGROES DENIED INDIANA HOMES

The Indianapolis Star
Forbidden in One Third
of State, Report Says

New Orleans, La.
WASHINGTON (UPI)—Negroes
are forbidden to establish homes
in one-third of Indiana, the fed-
eral civil rights commission re-
ported.

Mon. 1-11-60
The commission report was a
compilation of reports from each
of the 48 continental states. John
A. Scott, Elkhart, headed the
Indiana advisory committee
which submitted the Hoosier re-
port.

The Indiana report said it was
no accident that no Negroes live
in 30 of the state's 92 counties.

"In a number of county seats
and small communities in the
counties signs have been visible
advising, 'Niggers don't let
the sun go down on you here!'" the
report said.

But for the balance of the
state, there apparently is no or-
ganized drive against Negroes, it
said.

Discrimination in housing, al-
ready a serious problem, threat-
ens to become more acute as
"minority groups" migrate to In-
diana in search of jobs, it added.

The report recommended an
enforceable state fair employ-
ment practices law, to be used
as "a switch hanging in the
woodshed." Employment on mer-
it without discrimination is close-
ly linked to the general number
of jobs available, it said, and
"at the present time with some-
where between five and six mil-
lion unemployed it is certain that
persons in minority groups are
hardest hit."

This would apply in Richmond,
Evansville, Fort Wayne and
South Bend, Ind., the report in-
dicated, listing these cities as
representative of the state's un-
employment problem.

Indiana law forbids discrimina-
tion in hotels and restaurants,
the report said, but "enforce-
ment has either been absent or
overlooked."

Police protect family

Adro American
Baltimore Md.
Sat. 7/23/60

BALTIMORE

The first colored family to move into the 700 block of Grantley St. has been given police protection.

At the request of the Baltimore branch of the NAACP, officers were assigned to repeat - check the home of Mr. and Mrs. William Watford at 739 Grantley St.

The action was taken after someone threw stones through windows in their seven-room brick row house and poured sugar in the gas tank of their automobile.

At the same time the AFRO learned that the NAACP had sent a letter to the local Veterans Administration urging investigation of a complaint that an area house foreclosed on a VA mortgage was "not for sale to colored."

Mr. Watford, a production worker in a soft drink firm has vowed to "stick it out".

Mrs. Watford stated: "We plan to stay put. We are not afraid and I'm not going to let them run us off".

THE WATFORD'S moved into their new home just off Edmondson Ave., near Hilton, two weeks ago, after they had been denied access to the other house.

Previously they had resided at 1720 N. Mount St.

According to Mrs. Paula Watford, when she and her husband first inquired about buying a house at 737 Grantley St., they were told that the house was not for sale to colored people.

"My husband and I had seen the for-sale sign in front of 737 so we called about the house.

"In the beginning we were told the house would cost

\$9,000 and that the monthly payments would be \$80. He said we would need \$150 for down payment and \$3325 for settlement fee.

"Before we could get around to discussing ground rent the real estate man asked if we were white or colored. When we said colored he said he had thought we were white."

When asked if they had been required to pay more than \$9,000 for their new home, Mrs. Watford answered "No, the cost was reasonable."

Since moving into their home the Watford's and their three children have been badgered with mysterious knocks at the door and anti-racial remarks whenever they venture outside.

Monday night a huge rock was thrown through a rear window of their home. The following morning when Mr. Watford started to work, he found sugar in the tank of his car and an empty five pound sugar bag.

Upon seeing their new neighbors predicament, some of the white home owners laughed, the family reported.

The family had to pay a \$13 auto - repair bill, as a result of the incident.

MARYLAND

Family Paid Not To Rent House Decides To Buy One White neighbors

The Afro-American
Baltimore, Md
Sat. 1-9-60 38c
P. 19
okay purchase

N. ATTLEBORO, Mass. — Mr. and Mrs. James P. Wing's Christmas plans proved something of a disappointment, but their prospects for the New Year appear considerably brighter.

The couple and their two children decided several weeks ago to move from their third-floor apartment to a four-room cottage where they had hoped to be comfortably settled by Christmas.

Prospective neighbors, however, objected to the colored family's moving into their area.

THE OWNER of the cottage, Alexander Tourtellot, a 74-year-old retired farmer, "regretfully" informed the Wings that "pressure" from white residents of the North Attleboro neighborhood had forced him to abandon his plan to rent to them.

He gave them a \$500 certified check for "release of the cottage."

Ralph Hall, a North Attleboro real estate man who had been a football teammate of Mr. Wing at North Attleboro High School, voiced indignation at the neighborhoods' rejection of the Wings.

The social action committee of the Attleboro Area Council of Churches issued a statement deploring "the fact of racial segregation as evidenced in this particular neighborhood situation if the allegations are true."

A SPOKESMAN for the Massachusetts Commission Against Discrimination declined comment, stating that such cases are not covered by the Massachusetts anti-discrimination law.

More positive action was taken by Mr. Hall.

The real estate man located a seven-room home in the neighboring community of Attleboro Falls which was for sale for \$10,900.

He accompanied Mr. Wing to the bank where a loan application for the purchase of the home was negotiated.

Attleboro Falls residents indicated that they would be "glad to have them — and they'll have a nice big house there, too."

For a down payment the Wings used the \$500 check which they had been paid to give up their claim on the cottage where they were "not wanted."

Gain in Massachusetts

The great advantage in having a state anti-discrimination law was recently demonstrated in Massachusetts where the Commission Against Discrimination has just required two real estate concerns to stop discriminating against Negroes seeking to buy houses in their developments.

Significantly, the American Jewish Congress joined in the action against the offending suburban realtors, as it did in a recent similar case in New Jersey, which likewise has an anti-discrimination law with sharp teeth.

There are several states having somewhat similar laws, but the overwhelming majority of the states do not, even where there is a substantial Negro vote and a tradition of public tolerance.

Expanded living space is a "must" for American Negroes who are now largely confined to living in urban ghettos in largely obsolescent housing, while their white fellow-citizens are free to buy and rent anywhere they can afford.

Wherever there is no state anti-discrimination law, Negroes should campaign vigorously to get one that has force and meaning; and wherever there is a weak law of this kind, they should fight to strengthen it.

The Negro community cannot survive and progress anywhere that breathing space and living room are not available and accessible.

Builder must sell homes to everyone

BOSTON — The Massachusetts 300-lot Woodvale development sets Commission Against Discrimination in Danvers, Mass., about 20 miles north of Boston.

Two real estate firms to stop Last January Ulysses G. discriminating against Marshall, a Boston electrical colored person seeking to purchase a home in the development, but was refused an application.

The ruling, which climaxed a complaint the first public trial held by with MCAD the commission in a housing case, was directed against THE AGENCY'S ruling is Campanelli Builders, Inc., the first handed down under and Middlesex Homes, Inc., Massachusetts laws enacted builders and agents for them in 1957 and 1959, one of which

bars discrimination in private housing built with Federal aid, and the other which bars discrimination in developments with 10 or more house lots.

CORE Ends Picket Of Project

BOSTON, Mass. — Picketing of Woodvale, a discriminatory housing development north of Boston, was temporarily discontinued when a prospective Negro home buyer received a bona fide application and was shown available homes by a salesman. The previous week, Negro CORE members received bogus applications.

The picketers, members of the Congress of Racial Equality, began protest demonstrations four weeks ago after a formal charge of discrimination in the housing development was brought before the Massachusetts Commission Against Discrimination.

CORE chairman, Richard D. Mann, states that prior to this week-end Negroes seeking to buy homes at the project were ignored by salesmen and were unable to receive an application.

Continuing, Mann said: "An application extended to a prospective Negro buyer is the first stage toward compliance with the 1959 Massachusetts law against discrimination in housing. We will, therefore continue our negotiations to insure that Negroes desiring homes receive the full courtesies extended white customers at every stage in the transaction."

Mass. senator blasts housing discrimination

ROXBURY, Mass. — Sen. Leverett Saltonstall, Massachusetts Republican, denounced discrimination in the field of housing and home financing in an address Friday.

At a meeting of the Cooperative Real Estate Brokers Association held in the Roxbury Health Center, Saltonstall said:

"Housing and mortgage discrimination is contrary to American principles of freedom and dignity for all men and is a serious hindrance to the lessening of discrimination elsewhere in American life."

THE BAY STATE Senator commended the association for its efforts to assure "equality of opportunity for all Americans who seek homes and means of financing them."

Saltonstall said the association had helped numerous U. S. cities and states to improve enforcement of their housing discrimination laws. He hailed the association's voluntary Home Mortgage Credit Program which grants housing loans to minority group families who are denied local help.

ALSO AT THE meeting was Julian D. Steele who earlier this month was sworn in at Saltonstall's Washington office as an assistant administrator of the Federal Housing and Home Finance Agency.

In May, Saltonstall called for Federal assistance in securing home loans in the Roxbury area. In a letter to the head of the Housing and Home Finance Agency, he urged that all possible steps be taken "to see that credit is available to persons in the Roxbury area."

Boston Owner Drops Race Bar

BOSTON, Mass. — The owner of Woodvale, a housing development just north of Boston, agreed to sell to Negroes. The application of Ulysses G. Marshall was accepted by Mr. Campanelli, the owner. The action followed two weeks of sit-ins and picketing by Boston CORE.

Marshall asked the assistance of CORE two years after he first filed his complaint with the Commission. In June the CORE group did two tests to determine that Woodvale would accept white applicants and refuse Negroes. In both cases the agents simply fled when the Negro appeared. They did not return as long as the Negro remained.

An attempt to set up a negotiating session with Mr. Campanelli failed. On Saturday July 16, two CORE sit-in teams went to the office of the company. The real estate agents left hurriedly and no business was handed for the seven hour period from 1 p.m. until 8 p.m. The group picketed the development on Sunday.

The following Saturday four Negro members of CORE, all genuine applicants for housing, sat in the agents office. White members of CORE explained the situation to other applicants. Finally the Negro CORE members were given genuine application forms to fill out. The agreement to end discrimination came the following week.

Previously the CORE group had won an agreement from the Veterans Administration to end discriminatory referral practices and had helped break discrimination at Fairfield Gardens, an apartment development.

U.S. ORDER ASKED ON HOUSING BIAS

N.Y. Times
Notre Dame's Head Calls for
Action by White House on
Federally Aided Projects

New York N.Y.
By DAMON STETSON

DETROIT Dec. 15—The Rev. Theodore M. Hesburgh, a member of the United States Commission on Civil Rights, called today for a Presidential Executive order forbidding discrimination because of race or religion in all Federally financed and insured housing.

Father Hesburgh, who is president of Notre Dame University, advanced this proposal during an intermission in the second and final day of hearings here by the commission. It followed testimony by both Negro and white leaders that housing discrimination was widely practiced in the Detroit area.

In an interview, Father Hesburgh also suggested that the President declare in such an order that the principle of non-discrimination applied to all areas and projects in which Federal funds were used.

"I think we should make it clear to people and agencies all over the nation," he said, "that if they want public money they had better use it for all of the public."

Kennedy Urged to Act

Father Hesburgh said that he thought it was too late for President Eisenhower to issue such an order but that he hoped and expected that President-elect John F. Kennedy would do so. He said, however, that he had not discussed such an order with the President-elect.

At the conclusion of the day-long hearing, Dr. John A. Hannah, chairman of the commission, recalled at a news conference that the commission had first recommended the use of an Executive Order in its 1959 report.

During the hearing, Dr. Mel J. Ravits, Professor of Sociology at Wayne State University, warned of possible clashes and incidents in the future as Negroes sought to leave ghettos and purchase homes in exclu-

sively white neighborhoods.

If Detroit is ever to have an open housing market, he said, leadership and support will have to come from many levels of government.

At the morning session William L. Price, director of the community services department of the Detroit Urban League, and William R. Luedders, president of the Detroit Real Estate Board, gave sharply differing testimony about the housing situation for the Negro in this city.

Mr. Price asserted that the "most glaring negation of civil rights in Detroit" was in the housing area. He charged that Negroes were prevented from buying the homes they would like in certain areas by interlocking business interests composed of real estate brokers, mortgage bankers and builders.

Mr. Luedders testified that there were now ample vacancies at reasonable prices throughout integrated areas of Detroit, so that there was no shortage of "good, modern accommodations for Negroes in Detroit."

George M. Johnson, a member of the commission, asked whether a Negro could buy a house outside the all-Negro or integrated areas.

Mr. Luedders replied that a Negro could, in his opinion, buy a house in those areas if he wanted to and had the price. This reply was greeted by laughter from spectators who were predominantly Negroes.

First family moves into project without trouble

DETROIT — A colored family moved into a previously all-white public housing project—Smith Homes—without incident.

The Housing Commission said placement of the John Bell family at Smith Homes was "routine." Bell is a construction worker and the father of seven children.

There were some minor incidents, breaking of several windows, but plainclothes policemen assigned to patrol the area were able to cope with the problem.

A Housing Commission report said one white neighbor visited the Bell family and children in the neighborhood and assisted in helping the family to adjust.

The commission report added that "positive forces" in the community such as schools, churches, police officers, and community groups worked to eliminate any possible friction.

Buyer Desirability Ratings

Michigan Probes Race Bias In Sales of Swank Homes

DETROIT, Apr. 23 (UPI).—Seventeen persons, including Detroit Police Commissioner Herbert W. Hart, were handed subpoenas today in a state investigation of alleged racial and religious discrimination by brokers and property owners in the swanky Grosse Pointe suburban area.

State Attorney General Paul L. Adams at Lansing said there would be more subpoenas issued in his probe of a "point screening" system used to check on the acceptability of would-be property buyers in the area of big homes along Lake St. Clair.

The investigation began after a court suit disclosed that a detective agency was hired to rate prospective home buyers on such matters as the swarthy of their complexions, their accents, religion, national origin and whether their dress was "flashy" or "conservative."

To pass the test, a person had to score fifty points on the screening questions. However, a person needed five extra points, for example, if he was Polish and twenty extra if he was Jewish. There was no score by which Negroes or Orientals could make the grade.

Mr. Adams said all those subpoenaed, most of them prominent citizens, were or are officers, directors or employees of the Grosse Pointe Brokers Association, Grosse Pointe Property Owners Association or Grosse Pointe, Inc.

He said they would be asked to "testify and produce records" at hearings the week of May 2 before state Corporation and Securities Commissioner Lawrence Gubow.

Mr. Gubow said: "From the information which has been brought to our attention it appears there is a possibility of a violation of the blue sky laws, the real estate license law and the general corporation act. It is for this reason that the commission is conducting this inquiry to determine what action should be taken."

Mr. Adams said the persons

and associations involved in the alleged discriminatory practices have "indicated that their system is misunderstood." He said the hearings would give them an opportunity "to make a full and complete presentation of their position."

The Michigan Anti-Defamation League of B'nai B'rith has strongly protested the "screening" system to Mr. Adams and demanded that the licenses of the real estate brokers involved be revoked.

The Grosse Pointe Brokers Association has said its screening system is "misunderstood," that its aim is to protect real estate values, that the results of its investigations are not binding and that

"If there are any limitations (on who may buy in Grosse Pointe) they arise from the prejudices of the public who do not yet live up to the aims of our founding fathers."

Despite the alleged close screening of a person's background, a number of notorious Detroit gangsters, including Pete Licavoli, have managed to buy homes in the Grosse Pointe area.

MICHIGAN TO CURB REAL-ESTATE BIAS

The New York Times issues a Ruling to Revoke State Licenses of Guilty Brokers or Salesmen

By DAMON SUTSON

Special to The New York Times.

DETROIT, May 28—Michigan has taken a major step toward outlawing discrimination in real estate deals.

The State Corporation and Securities Commission is attempting to achieve through a broad administrative ruling something that Gov. G. Mennen Williams and the Democrats have failed to accomplish in the Legislature.

The ruling is an outgrowth of

hearings this month on a "point system" used by realtors and a property owners association in the Grosse Pointe area to screen prospective purchasers of homes there.

Buyers were rated on such matters as nationality, color, accent, way of living, occupation, complexion, dress, education, grammar and whether they were "typically American."

Ruling on Licenses

Lawrence Gubow, the Corporation and Securities Commissioner, announced the new administrative rule governing real estate operations yesterday.

It would permit the commission to suspend or revoke the licenses of real-estate brokers or salesmen discriminating against home buyers on the basis of race, religion or national origin.

The two-paragraph ruling prohibits real-estate salesmen or brokers from refusing to "offer for sale, or to offer to buy, or to receive an offer to sell or to buy, or to appraise, or to list, or to negotiate the purchase, sale, exchange or mortgage" of any residential or commercial building or property "because of the race, color, religion, national origin or ancestry of any person or persons."

The only real estate transactions not covered by the ruling are sales or rentals by individuals. The rule was drafted by lawyers in the office of Mr. Gubow and Attorney General Paul L. Adams. It is scheduled to take effect on Aug. 14 after public hearings.

Governor Williams, a long-time foe of discriminatory practices, approved the new rule. He said he considered it "a proper exercise of the commission's power."

The rule will also be submitted to the State Senate Business Committee for approval, but will probably go into effect before that group acts.

WHITE COMMUNITY WELCOMES NEGRO

The New York Times
Minneapolis Suburb Avoids

Flare-Up of Racial Bias Through Church Action

Special to The New York Times
MORNINGSIDE, Minn., Jan. 30—This tiny suburb of 600 homes on the edge of Minneapolis might have become another Deerfield, Ill., but for the intervention of citizens determined to forestall a flare-up of discrimination.

Quickly shunted aside was a resident's proposal, at a Council meeting Jan. 4, that a lot purchased by a Negro in this all-white community be taken by the village for park or other purposes.

The city of Deerfield recently drew national attention when it voted to buy up an interracial housing site for park use.

A Minneapolis Negro, Marion G. Taylor, a biochemist at a Veterans Administration hospital, paid \$2,800—reportedly four times what it cost a contractor a year ago—for the lot, on which he plans to build a single-family dwelling. His present home is in the path of a projected freeway.

One Obstacle Remains

The only obstacle remaining—an unlikely one, Mayor Kenneth Joyce said—is that engineers may find that the village must have the land for drainage purposes. Situated in a low, swampy area, it has been used for years to drain higher land.

Supporters of interracial housing lost no time, when public attention was drawn to the potentially explosive issue in early January, in rallying community support behind the generally pro-integration attitude of village officials.

Working behind the scenes was James A. Tillman Jr., executive director of the Greater Minneapolis Interfaith Fair Housing program. Minneapolis is one of three pilot areas in which the Council for Christian Social Action, a division of the national office of the United Church of Christ, has launched such a program to obtain non-segregated housing.

The United Church of Christ, which is a union of Congrega-

tional Christian Churches and the Evangelical and Reformed Churches, contributes \$9,000 a year to the Minneapolis program. Local religious communities—Roman Catholic, Protestant and Jewish—contribute \$11,000.

"This is one instance of a local community rising up against obviously growing bigotry," Mr. Tillman commented today. "Decency and justice prevailed."

Mayor Joyce, a newspaper advertising salesman, circulated a mimeographed statement to all Morningside homes, reminding residents in part:

"We are now being watched. The action of any single family is going to reflect on the village as a whole. We are now in a position to demonstrate the real spirit of an honest, God-fearing community or to act impulsively, unthinkingly, and become known as a bigoted, prejudiced, hateful little area that is no better than a portion of the South that we have probably in the past presumed to judge."

Petitions bearing signatures of 251 residents supporting non-discrimination in housing were presented to the Village Council at a meeting two weeks after the original one.

After the meeting, a dozen of his future neighbors entertained Mr. Taylor.

F. H. A. BARS BIAS, GOVERNORS TOLD

A 4-Point Program Is Cited at Panel Discussion on Housing Discrimination

Special to The New York Times
ST. PAUL, Minn., March 4 (AP)—A representative of the Federal Housing Administrator told a Governor's conference on civil rights today that the F. H. A. would not do business with any one who discriminated in housing.

George W. Snowden, assistant to the administrator for intergroup relations, Housing and Home Finance Committee, participated in a panel discussion on housing. He represented the Federal Housing Administrator. "The F. H. A. has declared that equal opportunity in housing is now a basic goal of the agency—a goal toward which it is pledged to strive by all the proper means at its command," Mr. Snowden said.

To this end, he cited four policies that have been developed thus far. He mentioned a ban on restrictive covenants, a pledge to promote open-occupancy projects, a pledge to dispose of repossessed properties on a non-discriminatory basis, and a policy of cooperation with states and cities that have fair housing practice laws.

60 in New York Cited

More than sixty New York communities now have integrated public housing, the conference was told.

Elmer A. Carter, Chairman of the New York State Commission Against Discrimination, said that more than 125,000 families representing a half million people were now living together on an integrated basis.

Mr. Carter said this had been accomplished through committees speaking for all interested groups—financial interests, builders, real estate men, and local, state and federal agencies, and town officials and planning groups.

Mrs. Marietta Tree, member of the New York Commission on Intergroup Relations, told the conference that New York City's experience has demonstrated that the fair housing practices law was workable and enforceable.

"We have found it, indeed, a major tool in forwarding our official city policy of affording equal rights and opportunities for all," she said.

Mrs. Tree said that there had been "gloom-bugs" who predicted real estate values would drop, mortgages would be harder to obtain, people would move out of the city.

"None of these gloomy prophesies came true," she said.

Integration Plan Loses

Special to The New York Times
CHICAGO, March 4—A Federal judge today refused to stop suburban Deerfield from condemning twenty-one acres of land on which a company is building a racially integrated housing project.

Judge Joseph Sam Perry also denied the Progress Development Corporation's demand for \$750,000 damages from the village, the park board and a resident's committee that opposes integration.

Judge Perry ruled there had been no conspiracy by the defendants and that the civil rights of the builders had not been violated.

John W. Hunt, attorney and vice president of the Progress Corporation, said:

"Undoubtedly there will be an appeal, but first we must study the judge's decision carefully."

Priests Are Scored

BINGHAMTON, N. Y., March 4 (AP)—The chairman of a local anti-discrimination council said today that Roman Catholic priests had failed to cooperate in a drive against discrimination in private housing.

The drive began Feb. 14, Race Relations Sunday. Churchgoers were asked to pledge that they would welcome into their neighborhoods persons of good character, regardless of color, creed or national origin.

"I don't think they [Roman Catholic priests] are distributing any pledges," James B. Gitlitz, chairman of the Broome County Council of the State Commission Against Discrimination, said. "I don't know why I haven't been able to find them out."

The Most Rev. Msgr. Walter A. Foery, Bishop of the Syracuse diocese, had written a letter in support of the drive. The letter was read in some churches during services Feb. 14. After it had been reported that not all Catholic churches had distributed pledge cards, a spokesman for Bishop Foery said the matter was one to be decided on the local level.

North Bigotry Told In Report

Special to The New York Times
ST. PAUL, Minn., May 19 (AP)—Housing discrimination is widespread in the north central states, a regional programming meeting of the U.S. Civil Rights Commission was told Thursday.

Steve Fligelman, Minnesota chairman for the commission, said the discrimination exists primarily against all non-white groups and is found primarily in metropolitan areas.

"Much of it is complicated by construction of new highways and other operations requiring relocations of people, he said. "We find that the concentration of minorities exists even after relocations have been effected."

The session also is reviewing voting and education fields. No discrimination was found in education, Fligelman said, and only one isolated instance in voting—that on an Indian reservation.

Fligelman said various groups in the eight-state area are expected to make plans for the study of discrimination in the fields of local justice and employment over the next 11 months period.

N. J. High Court Opens Levittown

TRENTON, N. J., Feb. 9—Negroes cannot be barred on racial grounds from buying homes in the 16,000-home Levittown, N. J. project, the State Supreme Court ruled.

The high court, in a 6 to 0 vote, upheld the decision of the Appellate Division of Superior Court, holding that discrimination is barred in houses financed with Federal mortgage loans.

The decision also applies to Green Field Farms Inc. which has built a 600-home development in West Deptford Township. Negroes accused both builders of racial discrimination.

JULIUS WILDSTEIN, chairman of the American Jewish Congress on Law and Social Action, said, "This is a decisive victory for equality."

"Further court proceedings would only delay the inevitable and tend to increase their intergroup tension."

Wildstein said he called on builder William J. Levitt to immediately reverse his decision to sell only to whites.

Top Jersey Justice Discloses Marriage To Levitt's Ex-Wife

Special to The New York Times.

WEST ORANGE, N. J., Feb. 10—Chief Justice Joseph Weintraub of the New Jersey Supreme Court, who disqualified himself in a housing bias decision handed down yesterday involving Levitt & Sons, Inc., has been married since Jan. 29 to the former wife of William Levitt, head of the home-building concern.

The marriage of the 52-year-old justice and Mrs. Rhoda Kirschner Levitt, it was learned today, took place at the bride's

apartment at 1067 Fifth Avenue, New York. The ceremony was performed by New York Supreme Court Justice Samuel Rabin, a friend of the couple.

In disqualifying himself from participating in the unanimous Supreme Court decision, which banned discrimination against Negroes in Levittown, the 16,000-home development in Burlington County, Justice Weintraub had said in court that he had a personal reason.

The immediate families of the couple attended the ceremony. Present were the justice's mother, brother and two sisters, and Mrs. Weintraub's two sons, William Levitt Jr., 27, and James, 15. Mrs. Weintraub's father was seriously ill in Texas and most of her family is with him.

INTEGRATION NEAR IN LEVITTOWN, N. J.

Builder Cites Losing Fight—

Asks Council for Negroes

Special to The New York Times.

LEVITTOWN, N. J., March 27—Levitt & Sons, Inc., which has opposed selling homes here to Negroes, acknowledged today that it was losing its fight and urged that the township set up a human-relations council to prepare for orderly integration by summer.

In a statement read at most church services, the builder of this 3,000-home community midway between Camden and Trenton said that "sooner or later present New Jersey law or some other law will be upheld and enforced no matter how present litigation turns out and Negro families will move into Levittown."

Under state law it is illegal to sell homes on the basis of race, creed or color if the home is in any way financed by public funds.

Levitt & Sons said that it would try to obtain a final determination from the United States Supreme Court on the Constitutional questions, but noted that there was no assurance the high court would review the cause.

It added that there also was no assurance that the New Jersey Supreme Court would grant an additional stay after April 15 on its Feb. 9 ruling that the

builder must sell homes to Negroes.

Levitt capitulates to community integration

LEVITTOWN, N. J. — Levitt and Sons, Inc., developers of this 3,000-home Burlington County community, showed signs early this week of capitulating to a New Jersey law banning discrimination in publicly assisted housing.

Notice of the apparent capitulation came Sunday when ten ministers read prepared statements to their congregations from Levitt pointing out the imminence of colored residents in their midst. The statement noted:

"It is generally recognized that sooner or later the present New Jersey law or some other law substantially like it will be upheld or enforced no matter how the present litigation turns out and that sooner or later some Negro families will move into Levittown."

"We believe," the statement said further, "that a final determination of the constitutional issues in the case should be obtained from the United Supreme Court in order to settle these questions once and for all and we propose to take all necessary steps to accomplish this."

...

THE NEW JERSEY Supreme Court held recently that under state law Levitt and Sons could not refuse to sell homes to two colored applicants. The court stayed enforcement of its decision to April 15 to allow the builders time to appeal.

Two men, Warrant Officer William R. James of Ft. Dix and Franklin Todd of Burlington filed discrimination charges against the developers, contending they were denied applications because of race.

Levitt and Sons asked officials here to form a human relations council in order to in-

Levitt Ready to Sell N.J. Homes to Negroes

Way Paved In Church By Builder

Churchgoers in Levittown, N. J., were told Sunday that racial integration of the community probably would begin this summer.

They were asked to plan now to accomplish the process in "an orderly and law-abiding way."

The appeal was in a statement from Levitt and Sons, Inc., developers of the community, read from the pulpits of Levittown churches at morning services.

BEFORE APRIL 15

It was learned the developers would accept the first application from a prospective Negro homebuyer before April 15, the deadline set by the New Jersey Supreme Court for enforcement of the State anti-discrimination law in Levittown.

Although the court's decision has been appealed to the U. S. Supreme Court, Levitt and Sons said they would proceed with integration plans regardless of the outcome of the litigation.

"It is generally recognized," the statement declared, "that sooner or later, the present New Jersey law or some other law substantially like it will be up-

held and enforced.

IN THE NEAR FUTURE

"Sooner or later, some Negro families will move into Levittown."

"It appears that this development will take place in the near future, probably this summer."

"Under these circumstances, it would clearly seem to be appropriate that the community as a whole, and its responsible public officials and community leaders, start now to prepare and plan for acceptance of this development so that integration, which is about to begin, may be accomplished in an orderly and law-abiding way."

The developers urged the township government to establish a council on human relations to pave the way. Mayor Charles Van Sciver of Levittown township, said he would initiate action to set up such a council.

FIRST TIME IN CAREER

This will be the first time in William J. Levitt's career as a builder that he has sold homes directly to Negroes. In the other Levittowns in Bucks county, Pennsylvania, and in New York, Negroes purchased homes from other sellers.

The New Jersey development now numbers 3000 homes and is expected to grow to 16,000 in three years. Two Negroes who tried to buy homes there filed discrimination complaints after their applications were refused.

Prices at the Jersey Levittown range from \$12,500 to \$25,000, with a minimum down payment of \$400 on an FHA-guaranteed loan for the lowest cost home. To obtain the loan, the home buyer

must earn at least \$109 a week.

BACKED BY PASTORS

In addition to reading the statement from Levitt and Sons, some ministers made comments of their own, urging their congregations to support the integration.

The Rev. Walter A. Quigg, pastor of St. Paul's Methodist Church and president of the Levittown Ministers' Association, said, "The Methodist Church always has been in favor of integration. The integration of Levittown offers is the opportunity to show that, in the eyes of the Lord, all men are created equal."

Visiting priests who conducted three morning Masses at the Corpus Christi Catholic Church gave support to the move by citing the Catholic Church's universal stand against segregation.

The Pittsburgh Courier
Pittsburgh, Pa. Sat. 4-4-60

Brother Levitt Sees

P. 12, The Right

That great authority, proponent and practitioner of segregated housing, Levitt and Sons, Inc., has finally seen the light (with the "aid" of the New Jersey Supreme Court) and announces that it is going to sell two of its 3,000 residences in the state to non-whites.

This company plans to build 13,000 more homes in the Burlington County (N. J.) area in the \$12,000-\$15,000 price range, and they will handpick the Negroes they will permit to buy homes.

At the rate of two Negro buyers out of each 3,000, there should be a token total of a dozen Negro families by 1963; and there is likelihood of no faster progress in the Levittowns in Bucks County, Pa., and Nassau County, N. Y.

Thus, does Brother Levitt obey the spirit and letter of the law!

Jersey Vandalism Aimed At Negro Family Probed

The Montclair Advertiser
TRENTON, N.J. (AP) — Hamilton township police Monday continued to investigate acts of vandalism apparently intended to discourage a Negro family from moving into an all-white block.

Roderick Woodward, 46, a postal clerk, reported that someone tried to set fire to his new home in Trenton by pouring an inflammable liquid against the side of the house and setting a match to it.

Asbestos shingles kept the fire from catching hold, he said, but the door, window frames and side of the house were scorched.

Hamilton township police said they questioned residents of the area but turned up no leads. People living in the neighborhood were reluctant to talk, the police said.

Four teen-aged boys were arrested Friday and charged with earlier acts of vandalism at the house.

Detective Charles E. Snyder said the four admitted painting "niggers go home" and "coon go away" in red paint on the side of the house, throwing paving blocks and stones through the door and windows, and setting up wooden and metal crosses on the lawn.

2-year fight to block N.J.

Levittown jimcrow pays off

38c 7.9
LEVITTOWN, N.J. — Following a two-year fight which has wound its way through state agencies, state courts and, finally, up to the United States Supreme Court itself, two colored families are moving into Levittown, N.J.

Levittown, N.J. is a hitherto all-white housing development located on Route 130 in Willingsboro Township of Burlington County.

When completed it will consist of 16,000 homes, made possible through mortgages insured by the Federal Housing Administration.

The builder of the project is the firm of William J. Levitt and Sons, Inc., one of the nation's biggest mass producers of housing.

THREE SUCH Levittowns, sprawling communities of thousands of homes designed for middle-income families, now dot the countryside in New Jersey, New York and Pennsylvania.

All were built for "white only." The first was built in Long Island (1947), and the second in Pennsylvania (1951) about 19 miles outside of Philadelphia.

Despite its partnership with the Federal Government in the construction of these projects, Levitt was able to build the first two and refuse to sell to colored buyers because of the absence of a Federal law against discrimination in the sale of homes financed with Federal funds.

A LEVITTOWN first drew unsavory headlines in 1957, when the Pennsylvania project became the scene of rioting, disorder and vandalism.

Its inhabitants, who had sought sanctuary from the possibility of colored neighbors, had become disturbed by the fact that a colored family was moving into their midst.

WILLIAM MYERS JR., a Trenton, N.J. refrigeration engineer, purchased a ranch-style home on Daffodil Lane through Against Discrimination when they were refused the opportunity to buy homes in the new development.

Before Mr. Myers and his wife and three children could move in, the house was stoned. The incident marked the



WILLIAM MYERS JR.

start of a series of mass demonstrations in front of the house before state and township police were stationed about the house to protect it and the Myers family from the cursing, jeering mob.

The Myers family remained undaunted, however, and after several months quietly returned to the community and the Myerses were joined by another family, the Kenneth Mosbys, who moved into the community without fanfare.

AT THE SAME time it was reported that more than a dozen colored families were living in the New York Levittown community.

The Levittown, N.J. situation, however, differed from that in the two earlier communities, for while there is still no Federal prohibition against use of Federal funds to finance jim crow housing, New Jersey does have such a state law.

With full awareness of this, Levitt and Sons went ahead with its plans to erect another jim crow community in New Jersey.

WILLIE R. JAMES and Franklin B. Todd, both of Burlington, filed complaints two years ago with the Division Against Discrimination when they were refused the opportunity to buy homes in the new development. The DAD ruled in their favor and sought a court order to bar the discrimination. The

ruling in favor of the plaintiffs and the DAD was appealed by the builders to the State Court of Appeals and finally to the United States Supreme Court, which refused to intervene.

The partnership of Levitt and the Federal Government in spreading jim crow, appears to be at an end, in New Jersey at least.

Vandalism Continues at Negro Home

38c 7.9
TRENTON, N.J. (AP) — Police in nearby Hamilton Township investigated the latest in a series of acts of vandalism against a Negro family planning to move into an all-white block.

Roderick Woodward, 46, a postal clerk in Trenton, reported an apparent attempt to set fire to his new home Saturday night.

Woodward said someone apparently poured an inflammable liquid against the side of the house on New Cedar Lane and set fire to it. Asbestos shingles kept the fire from catching hold, he said.

Authorities arrested four teenagers Friday and charged them with malicious mischief and vandalism in earlier acts against the Woodward home.

Detective Charles E. Snyder said the four admitted painting "niggers go home" and "coon go away" in red paint on the side of the house, setting up wooden and metal crosses on the lawn, and throwing paving blocks and stones through the door and windows.

He said they told authorities they decided on the acts of vandalism after reading of similar incidents elsewhere.

Police withheld the names of all four youths.

I'm ready landowner tells hoods

TRENTON, N.J. — "I had a chance to back out, but I didn't. And I have no intention of doing so."

"I feel I can cope with any situation which may arise. If someone comes to my property, I'll be ready for them. These people don't have to speak to me or associate with me. All I want of them is to let me live."

THIS WAS THE challenge hurled by Roderick Woodard late last week as he reaffirmed his stand on keeping and living in the house he bought in a white neighborhood here.

The 46-year-old postal clerk said he would hold his ground, even in the face of a later maneuver by city officials.

A hitherto unused section of the housing code of Hamilton Township was unearthed which requires that a health certificate be obtained prior to all real estate sales.

ANTHONY VISCONTI, who sold the house to Woodard on August 4, was cited as the violator. But Woodard was held liable, at least until a decision can be rendered by a magistrate hearing the case. He cannot move into the place until the health permit is issued.

Woodard has obtained the health permit, but said it would be six or eight weeks before he moved into the house.

Woodard has been continually harassed by persons bent on denying him access to his recently-purchased property in Hamilton Township. Crosses have been burned on lawns and the house has been painted with racial insults demanding that he "go 'way."

LAST WEEK, police arrested four teen-aged boys and

charged them with defacing property in connection with the case. One is a parolee from the Jamesburg State Home for Boys.

They reportedly told police they embarked on the demolition job when they were led to believe this was what was done to prevent "invasion" by colored families to white communities.

THREE OF THE teenagers were found guilty of defacing the property and turned over to the custody of their parents. No sentence was imposed on the parolee, but there is a possibility he will be charged with violation of parole.

The house which cost Woodard \$11,000 is a two-family dwelling. Woodard plans to occupy three of its six rooms. He is having the house renovated at an estimated cost of \$1,000.

Minor repairs were necessary as a result of the health violation cited. Woodard said these repairs cost \$200.

No additional damage has been done to the property. Woodard said he has received numerous letters and that two white neighbors called to offer their aid.

HOUSING DIFFICULTIES were being experienced by colored persons in other areas, while Woodard was being victimized here.

In Chattanooga, Tenn., two colored homes in a racially mixed neighborhood were damaged by an explosion. Police speculated that a homemade bomb or a stick of dynamite had been tossed between the two houses by someone in a passing automobile.

Damaged in the blast were the homes of Robert Lee Woods and Mrs. Mary Jolly. They live opposite several white families on the same street.

Two nights later, an explosion ripped still another dwelling which Chattanooga real estate agents had advertised as being available to prospective colored buyers.

IN LANSING, MICH., three realty companies sought to forestall a move to erase bigotry from property sales. The companies obtained a temporary injunction against a rule prohibiting racial or religious discrimination in real estate transactions.

The rule was an outgrowth of a city investigation into charges that state-licensed

brokers were refusing to sell desirable locations to colored people and Jews.

New Jersey Youths Stage Jeering March On Negroes

MOORESTOWN, N.J. (AP) — Police Friday night broke up a jeering crowd of about 50 white youths marching on a Negro residential area, arrested 29 and charged them with inciting to riot. Police Chief Frank Walters said 20 of the 29 are juveniles, the others ranging in age from 18 to 22. All are males.

He said the crowd was headed for a section of Moorestown where Negroes live and that it advanced to a little more than a block from that section before it was stopped.

Moorestown, one of New Jersey's more historic towns, does not have a large Negro population. Walters said he did not know what touched off the agitation.

Patrolman Richard Gray, on duty in the area, reported that as the crowd bore down upon the Negro section shortly before midnight, it spotted a Negro, evidently on his way home. One of the demonstrators yelled, "There's one of them," and all took after him, Gray related.

As Gray was in the shadows, the crowd did not see him at first. When it did, several fled. The 29 were rounded up by Gray and fellow policemen.

Chief Walters said none carried weapons of any kind, and there were no injuries reported. The 20 juveniles were released on \$50 bail each, the nine others on \$100 bail, pending hearings.

The complaint resulted in a State Supreme Court ruling Feb. 9 that the state's anti-bias law forbade discrimination in housing projects where federal mortgage guarantees were given home builders.

The United States Supreme Court refused to hear an appeal from the decision, which automatically meant Mr. Levitt would have to file a compliance notice with the State Civil Rights Division. He did so this week.

Negro Home Buyers Recognized by Levitt

TRENTON, N.J. (AP) — William Levitt, who lost his court fight to bar Negroes from buying homes in Levittown, Pa., has formally notified the state of his compliance with its legal ruling. The notification officially ended Mr. Levitt's long fight against a Civil Rights Division

New Jersey Court Rules Levittown Open To Negroes

TRENTON, N.J. (AP) — The State Supreme Court ruled Tuesday that Negroes may buy homes in Levittown, N.J., and other projects financed with federal help.

The landmark decision on housing discrimination brought an immediate statement from Levitt & Sons, builder of the all-white 16,000 home community, that an appeal is likely.

Julius Wildstein of Newark, lawyer for three Negroes who charged discrimination at Levittown and a Gloucester county project, hailed the decision as "a decisive victory for equality."

The court, by a 6-0 vote, held that a private builder cannot exclude Negroes once he gets a Federal Housing Administration commitment to provide mortgage loans for prospective buyers.

The decision also covers a discrimination complaint lodged against Green Fields Farm Inc., builder of a 600-home development in West Deptford Township near Gloucester.

Take your home segregation to Mississippi, Levitt told

Baltimore, Md.

NEWARK — The State of New Jersey neither wants nor needs segregated Levittowns, according to the state officers of Americans for Democratic Action.

This observation was coupled with a warning issued Saturday to the multi-millionaire builder, William J. Levitt, after his firm revealed its plans to establish another Jim Crow community in New Jersey.

Speaking for ADA, Robert A. Day, state chairman, said his organization will fight Levitt's efforts "every step of the way."

HE ADDED: "If Levitt wants to build more segregated houses, we suggest that he ought to move his operations to Mississippi where his practices would not be quite so out of place."

Day said central New Jersey would be a fine place for Levitt to operate, if the houses he builds were available to all, regardless of color.

But Levitt's sorry record of building "previous Levittowns" should make all of the residents of the central part of the state stop and think before they permit this operator to go into business here, the ADA chairman declared.

"The memory of the strife and near bloodshed in Levittown, Pa., where the Myers family heroically broke down the color barrier established by Levitt is not soon to be forgotten."

REFERENCE WAS to the case involving William E. Myers Jr., his wife and three children, which dates from August, 1957, when the family moved into a Levitt development at Doylestown, Pa.

The legal right of the Myers family to remain in the house they bought from a white family was secured when Judge Edwin H. Satterthwaite permanently enjoined seven

white residents from interfering with the Myerses.

The jurist found the seven defendants in the case guilty of unlawful conduct against the Myerses.

DURING JULY, 1958, suits were filed against Levitt by two residents of Burlington, N.J., Franklin D. Todd and Willie R. James.

The complainants charged before the New Jersey Division Against Discrimination that Levitt violated the law banning bias in public or publicly-assisted housing by refusing to sell to them.

A hearing was first scheduled for December, 1958, but was delayed by a series of legal technicalities raised by Levitt and another developer.

Last February, Judge W. Orvyl Schalick ruled in Woodbury that the state's 1957 anti-housing bias law applies to the developments constructed by both Levitt and the Green Fields Village in Gloucester County, and that both firms must submit to hearings before the State Division Against Discrimination.

THE RULING was upheld July 22 by the State Court of Appeals.

Early this month when the court refused a rehearing of the case, attorneys for both sides agreed that if the State Supreme Court rules against the developers, they would agree to sell to the colored defendants.

The Supreme Court will hear arguments on the case Dec. 21.

J. Rules Against Bias In FHA-Aided Housing

TRENTON, N. J. — (UPI) — Private housing developers whose projects involve federal mortgage guarantees may not refuse to sell to Negroes, the New Jersey Supreme Court ruled Tuesday.

The high court upheld a decision by the appellate division of Superior Court, which said the 1957 Housing Act prohibited discrimination where a federal housing guarantee had been given a home buyer.

The case stemmed from complaints filed by Negroes against mass builder William J. Levitt and Green Fields Farm, inc., charging the developers refused to sell them houses. Levitt has signed an agreement stipulating he would sell to Negroes if the high court held the 1957 act applied to his development.

DID NOT SIGN

Green Fields did not sign such an agreement and faces a hearing by the state Division Against Discrimination.

The state took the position that the projects were publicly-assisted housing by virtue of the FHA mortgage guarantees. The 1957 act prohibited discrimination in publicly-assisted housing.

Attorney General David D. Furman, who argued the state's case, contended that FHA guarantees aided the builders by broadening the housing market.

Furman argued during the high court hearing of the case that the projects "would not have been undertaken without FHA financing."

Attorneys for the builders contended the 1957 act did not apply to the projects, since it did not

specifically mention FHA mortgage guarantees.

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The decision also covers a discrimination complaint lodged against Green Fields Farm Inc., builder of a 600-home development in West Deptford Township near Gloucester.

Levittown to Stay 'White Only'--for Now

The Miami Herald
TRENTON, N.J. — For the time being, the huge Levittown project will continue to be closed to Negroes.

Lawyers for Levitt & Sons, Inc. plan to ask the U.S. Supreme Court to upset a Feb. 9 State Supreme Court decision, which opened the homes to Negro buyers.

The appeal notice was just disclosed. A State Court spokesman said it will automatically stay the State Court ruling.

Levittown, a pre-planned community midway between Trenton and Camden, is expected to be New Jersey's 10th largest city when its 16,000 homes are finished in three years or so. About 3,000 already have been sold to whites.

A spokesman for the builder said, "the case is being appealed to the U.S. Supreme Court on our claim that the New Jersey laws (against discrimination) are unconstitutional. While the matter is pending in the Supreme Court we have no comment to make."

Julius Wildstein of Newark, attorney for two Negroes who tried to buy homes in Levittown, said, "we intend to vigorously prosecute this case."

Wildstein added, "the matters they raise on appeal were all fully argued by the parties concerned, considered by the State Supreme Court, and overruled."

The appeal notice, filed by William P. Reiss of Pitney, Hardin & Ward of Newark, said the 1954 and 1957 anti-discrimination laws violate the 14th Amendment to the U.S. Constitution, which prevents a state from depriving any person of his property without due process of law.

Top Court Upholds Ban On Bias In Home Sales

WASHINGTON — The nation's highest court of law told a New Jersey housing developer Monday he would have to sell homes to Negroes if any public funds whatsoever went into the financing of a sale.

The U.S. Supreme Court spelled this out clearly to Levitt and Sons, Inc., builders of the proposed 16,000-home community called Levittown, N. J. The builder's plan called for the township to be all-white, but the high tribunal threw a monkey wrench into the plans when it refused to review a New Jersey Supreme Court ruling which also outlawed discrimination in the sale of Levittown homes.

The Supreme Court refused to hear the appeal of Levitt and Sons, left the New Jersey court decision intact. Lack of a substantial federal question in the case was given by the high court as the reason for throwing out the case.

The New Jersey court had ruled there could be no discrimination, racial or religious, in the sale of "publicly assisted housing" since such practices would be contrary to the state anti-discrimination law.

Levitt and Sons, Inc. is a private New York firm engaged in developing and erecting one family homes.

HOMES BOUGHT IN WHITE AREA

The New York Times
Negroes Will Move into

Jersey Community
LEVITTOWN, N. J. (AP) — Two Negro families will move into this previously all-white community in July and August, Levitt & Sons Inc. has announced.

The Levitt firm disclosed the

plans in a letter to the council on human relations, which was formed last March to prepare for voluntary integration in the huge housing development.

The U. S. supreme court two weeks ago refused to review a state supreme court decision which had ordered the admission of Negroes into the Levitt development because buyers received federal assistance.

The state supreme court order is slated to take effect July 8, when the federal mandate is received in Trenton.

About 3500 of a planned 16,000 have been sold to white persons exclusively.

Two Negroes, Willie R. James and Franklin B. Todd of Burlington, brought a complaint of discrimination against Levitt two years ago. A spokesman for Levitt & Sons would not say if they are the Negroes who will buy homes.

The Levitt announcement was made by Ira G. Goldman, vice president and general counsel, in a letter to Charles H. Groesbeck, human relations council chairman. It said:

"In keeping with our announcement last March 27 to initiate voluntary integration in Levittown, we wish to inform you that two Negro families are in process of buying houses in this community.

"One of these families is expected to move here during July, and the other in August.

"In view of the expressed wish of both these families to be spared notoriety, no further details about them will be made public at this time."

When a Negro couple bought a home on resale in Levittown, Pa., about five miles away, integration foes demonstrated for several days.

JERSEY'S LEVITTOWN TO GET 2 NEGROES

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N.J. Group Orders Integration

Two Negroes Push Entry to Levittown

LEVITTOWN, N. J.—This all-white community has been ordered by New Jersey's Division Against Discrimination (DAD) to process the applications of two Negroes who have been seeking for two years to buy houses in the restricted development. The two, Willie R. James and Franklin B. Todd, have announced plans to get into the development as soon as possible.

Dr. John P. Mulligan, director of DAD, announced his department had issued a formal order to William J. Levitt "to cease and desist from discrimination, receive applications from the two Negro families and report back within 45 days on what progress has been made in processing the applications."

James, an Army Warrant Officer who, with Todd, filed complaint of bias against the Levitt concern back in 1957: "I plan to buy a house and move into Levittown as fast as I possibly can. I have never had any hesitancy about moving there."

Both men had high praise for the organizations that helped them in the fight: the American Jewish Congress, the American Civil Liberties Union and the New Jersey Committee Against Discrimination in Housing. They also thanked the lawyers who donated time and services without pay: Julius Wildstein, chairman of the New Jersey Commission on Law and Social Action of the American Jewish Congress; Emerson Darnell of the Southern New Jersey branch of the ACLU; and Herbert H. Tate, counsel for the New Jersey NAACP.

Housing Restricted For One In Six

The Montgomery Advertiser
27 MILLION LIMITED DUE TO RACE, ETHNIC DESCENT

By GEORGE W. CORNELL
 NEW YORK (AP)—One out of six Americans is unable to live where he wants to live because of racial discrimination.

This was the finding Sunday of a three-year study of housing and race in the United States.

Altogether 27 million Americans are restricted to some extent in choosing a place of residence because of their race or ethnic descent, the report says.

"Racial segregation in housing is sustained by widespread popular attitudes, the practices of the housing industry, and policies of government," the report added. "Probably no aspect of racial discrimination in the United States is more institutionalized and resistant to change."

The report, entitled "Residence and Race", is the last of a series of studies prepared by the Commission on Race and Housing set up by the Fund for the Republic, with a \$305,000 grant for research.

The commission's director of research, Davis McEntire, professor of social welfare at the University of California, wrote the report, which is being issued in book form by the university.

It says Americans most severely affected by housing discrimination are 19 million nonwhites—chiefly Negroes, but also Japanese, Chinese and Filipinos. Less rigidly restricted are 2.5 million Mexican, Americans, and a million Puerto Ricans. "Occasional" housing discrimination also is directed against Jews numbering five million.

The report offers 10 recommendations for reducing housing discrimination, based on three years of research and consultation with 50 experts in economics, real estate, sociology, psychology and other fields.

The recommendations for action are:

1. Attack discriminatory conduct rather than attitudes. "It is far easier to change people's actions—By law or the pressure of public opinion—Than it is to change their attitudes; their at-

titudes will change in due course, so integration in housing must stimulate participation in anyway."

2. Change the social situation wider areas of community life. The report notes polls showing a slight majority of whites in the North and West would be willing to live in the same general neighborhood with Negroes, and in the South, about a third of whites would be willing to do so.

3. Influence builders, mortgage lenders, real estate brokers, government agencies, thus concentrating on key points rather than spreading efforts thinly on the general public.

4. Seek legislation giving freedom of action to persons who oppose discrimination. "Many people do not really wish to discriminate but feel compelled to do so by the social pressures."

5. Mobilize all citizen groups concerned with discrimination to effect changes in law and conduct.

6. Organize with the understanding that most Americans have no firmly fixed convictions about race and will respond to enlightened leadership. "though many Americans express racial prejudice, this is often merely what they think is expected of them."

7. Promote association among members of majority and minority groups of comparable economic and social position.

8. Create community situations in which members of different racial groups can attack common problems.

9. Expand the supply of housing, especially at lower-price levels, to reduce competition for housing among racial groups.

10. Do not confuse problems of racial segregation with problems of socio-economic segregation. "Mixing neighborhoods by race does not mean mixing them by social class, too."

"Elimination of racial restrictions on residence would have consequences reaching far beyond the immediate facts of housing," the report says. "Just as residential segregation serves to isolate the segregated groups from the activities of the general popula-

SCAD Against Integration?

Among its other duties the State Commission Against Discrimination has the responsibility to eliminate discrimination in publicly assisted housing because of race, creed, color or national origin. It is now making an "informal inquiry" into the tenant selection policies of the New York City Housing Authority. It says, "Statements in the press and information supplied the commission intimated that the provision of the Law Against Discrimination * * * was being violated by the Housing Authority."

The Housing Authority's policy is no secret; it was fully explained in a statement Aug. 25. It recalled that when the authority was reconstituted in May, 1958, it was directed by Mayor Wagner to develop sound community life in public housing. "Upon examining conditions in its ninety-two projects it found 'a number containing a disproportion of one racial or ethnic group.'"

The then new chairman, William Reid, and his associates, Francis V. Madigan and Ira S. Robbins, decided that they would reduce the over-concentration or segregation in city projects. They felt that racial segregation in housing, if uncorrected, defeated the city's efforts to develop integrated schools and to create "an open city in which families of all racial groups can live alongside each other."

This commendable policy was promoted by encouraging white families to move into projects predominantly or almost wholly Negro or Puerto Rican, and, where there was almost a total segregation of white families, encouraging Negro and Puerto Rican families to move into the projects. Managers were authorized "to hold apartments temporarily when applicants whose occupancy would further integration appear to be interested in renting." But this was done only in projects where the authority tried to stem the tide toward rapid segregation, whether by whites or non-whites. Only a few apartments were kept vacant for this purpose; excluding projects in initial stages of renting, only sixty-five apartments out of more than 105,000 were not rented on June 30, 1960.

This is the affirmative action that authority has taken. It is based on the proved fact that mere compliance with the laws prohibiting discrimination has not prevented segregation. The authority "has every intention of continuing its

efforts to solve this difficult problem of present-day democracy."

It looks to us as though SCAD must make the decision whether it is against affirmative action for integration, or prefers the old policy of laissez-faire that produced virtually all-white or all-Negro housing projects. The Housing Authority is trying to be conscientiously against discrimination and against segregation—accidental or otherwise—at the same time. It is not easy. That is the villainy that SCAD is investigating.

Housing Bias In New York Cities Bared

ALBANY, N. Y., March 3 (AP) — "Integrated living is not possible in any one of five" communities across New York State because of "a vast amount" of discrimination against Negroes in the sale and rental of private housing, the State Senate Committee on Public Health reports.

"These facts clearly reveal that present antidiscrimination laws must be revised," Sen. George R. Metcalf (R-Auburn), Committee chairman, said last night. The Committee said studies made last summer at Freeport, E. I.; Greenburgh, Westchester County; Poughkeepsie, Plattsburgh and Rochester showed "a common vein—a denial to the Negro of equal status in the procurement of housing."

Here is a summary of the reports:

ROCHESTER — Negroes number 15,000 in a total population of 336,000, with 95 per cent of them in predominantly nonwhite areas.

Neighborhoods in all-white areas "often band together... by executing written or verbal agreements that no Negro will enter their neighborhood." Builders have been "almost 100-per-cent successful" in keeping out Negroes as original buyers.

PLATTSBURGH — Plattsburgh Air Force Base and the State Teachers College have brought a number of Negroes into the growing city of 20,000. Varying reports of discrimination.

POUGHKEEPSIE — Negroes, about 3000 in the city of about 40,000, are concentrated in two wards where most of the housing was "unspeakable."

GREENBURGH — Negroes (13 per cent of population), regardless of income or professional status, generally cannot buy or rent in all-white neighborhoods and were almost excluded from the new

housing market.

FREEPORT — Negroes represent nearly 6 per cent of the 32,000 residents. "For all practical purposes, nonwhites were unable to buy or rent property in white sections."

HOUSING BIAS VOTE SOUGHT IN ALBANY

Baker Challenges Governor to Force Senate Group to Release Measure

By CHARLES GRUTZNER
Special to The New York Times.

ALBANY, March 30 — Supporters of nondiscrimination in private housing, pinned their last hopes tonight on intervention by Governor Rockefeller to get the administration's anti-bias measure out of a hostile Senate Finance Committee.

A challenge to the Governor to assert his leadership of Republican legislators was sounded from the Assembly floor by Bertram L. Baker, Brooklyn Democrat. Assemblyman Baker had sponsored, in previous years, legislation now on the books outlawing discrimination in public housing and publicly aided private housing.

Mr. Baker said that if the administration measure died in committee it would "surely be an indictment against the Governor for his demonstrated lack of forceful leadership." He said if the Legislature adjourned tomorrow without passing the bill, that would "be the tragedy of this session."

It was understood tonight that the Governor was still making attempts through his party's legislative leaders to have the measure released but he had not, as far as could be learned, called in individual members of the Finance Committee to get them to report the bill out.

The administration measure is also in the Assembly Rules Committee, but its fate will be determined in the Senate committee. Assembly Majority Leader Joseph F. Carlino has promised to get it out of the Rules Committee for passage by the Assembly if the Finance

Committee reports it out in the Upper House.

Senate Majority Leader Walter J. Mahoney has not taken action to move the measure out of the committee, whose chairman, Austin W. Erwin, is openly hostile to the bill.

After Mr. Baker's challenge, Mr. Mahoney said he would "take it up tomorrow" at his conference with Republican Senators. He declined to say whether he would try to get the measure out of committee and passed in the Senate.

Assemblyman Baker's challenge to the Governor was based on Mr. Rockefeller's declarations during the last two years for unrestricted occupancy in private housing.

"This is a matter that should have no party label," the assemblyman declared. "Year after year, anti-discrimination measures have had bi-partisan sponsorship. This year the Governor took the leadership and assumed responsibility to eliminate this great cancer of discrimination from our democratic way of life."

Mr. Baker's reminder of bi-partisan sponsorship had reference to bills he had introduced jointly with Senator George R. Metcalf, Auburn Republican.

NEGRO MAJOR'S FAITH RENEWED

SYRACUSE, N. Y. (AP) — Eldridge F. Williams, a Negro major in the Air Force, was frustrated. No one would sell or rent him a house, he said.

Williams went to the Syracuse Herald-Journal, which published his story. "It is the most complete restriction I have ever encountered, North or South, in 19 years of traveling with the Air Force," Williams wrote.

Now he is so swamped with offers and telephone calls of sympathy he cannot answer them all.

"I'm deeply grateful. It renews my faith in human nature," the happy Williams smiled.

Williams, a native of Kansas City, Mo., and a graduate of Xavier university in Ohio, was cited by the White House for his work as project officer for President Eisenhower's "open skies" proposal operation. He arrived in Syracuse Sept. 1

with his wife and 11-year-old daughter Cathy.

He needed to find a home in North Syracuse, Mattydale or Liverpool, to be close to Hancock Field, where he is assigned a weapons controller in the combat operations center of the 26th Air Division.

First he tried to rent. "By telephone the place would be available. As soon as I appeared in person, the vacancy no longer existed," Williams said.

Then he tried to buy. "Real estate agents blamed the builders. The builders blamed the home owners, the home owners blamed the neighbors," Williams said.

State Plans Probe Anyway

Racial Bias Is Denied In City Housing Projects

By Edward J. Silberfarb

A member of the city Housing Authority declared yesterday that city housing projects are free of racial and ethnic quotas, but even as he said it a State commission announced an investigation of possible discriminatory practices here.

Ira S. Robbins, vice-chairman of the authority, describing the make-up of city housing units, said, "No apartments are restricted to whites only. There are no quotas on the number of families of any racial or ethnic groups who may be admitted to any project."

He was speaking at the Civil Rights conference conducted by the New York City Central Labor Council at the Hotel Manhattan yesterday morning.

Meanwhile, Elmer A. Carter, chairman of the State Commission Against Discrimination, announced an informal inquiry had been ordered into the "tenant selection policies and practices" of the authority. The action was being taken, he said, because of press and other statements intimating the law was being violated.

In an article written for "The New Leader" July 4, Bernard Roshco, former assistant public relations director for the authority, charged that city housing administrators were violating the letter of the law in their attempts to uphold the spirit of the anti-discrimination statute.

He said the authority's tenant selection program, aimed at integrating whites into predominantly Negro and Puerto Rican projects, had resulted actually in the banning of nonwhites from low rent housing.

The authority, last Aug. 27, in an explanation of its policy, denied using a quota system to bring about balanced commu-

nities. According to the statement, it does, however, authorize managers to hold apartments temporarily when applicants whose occupancy would further integration appear interested in renting.

The informal inquiry, to be headed by Commissioner Bernard Katzen of S. C. A. D., was ordered, it was understood, after three conferences between top officials of S. C. A. D. and the Housing Authority.

To Examine Records

The investigation will take the form of field visits by S. C. A. D. representatives to examine records. If the findings show violations, the commission could make recommendations to Gov. Rockefeller and the State Legislature.

Formal inquiries are ordered only when specific charges of discrimination are filed by an aggrieved person. An informal inquiry can be based on the commission's belief that violations may have occurred. The discrimination law forbids the administrators of publicly assisted housing to refuse to rent on the basis of race, creed, color or national origin. It also prohibits oral or written inquiry into these matters of a person seeking to rent an apartment.

Asks For Strong Steps Against N.Y. Housing Bias

NEW YORK — Reginald A. Johnson, director of housing activities for the National Urban League, expressed hope a state sub-committee would present the "broadest possible legislation for meeting racial inequities in housing" to the senate and governor.

Testifying before the group, Johnson said the National Urban League has worked for the improvement and stabilization of job relationships and the reduction of barriers to housing for 50 years.

He told the committee further: "New York has legislated out of existence almost every possibility for discrimination in public accommodations, education and employment. Housing is the only area which is only partly covered."

"I understand from the New York State Commission Against Discrimination that present laws cover approximately 5 percent of existing and approximately 30 percent of new housing. With the exception of the above mentioned housing, that now occupied by Negroes or existing in or near segregated areas, most of all other housing is barred to non-white occupancy because of discriminatory real estate practices," he stated.

NULLIFY EFFORTS

"Present discriminatory practices in housing, in part, nullify the efforts of industry to fully comply with legislation on employment. The New York State Commission Against Discrimination was concerned with upstate industrial needs for technical and professional personnel."

"The Commission's 1958 study, 'In Search of Housing,' discovered that discriminatory housing practices prevented several upstate industrial concerns from fulfilling their employment obligations prescribed under state law," Johnson stated.

"The study reviewed the experiences of 45 Negro technicians.

This group approximated more than 2,000 efforts to secure adequate housing in nine upstate communities. The following is a quote from the foreword of this study:

"... As Negroes in increasing number are recruited for professional, technical and administrative posts in industry and government, there arises the problem of finding homes in proximity to their places of employment, in keeping with the needs of their families, and appropriate to their occupational and educational status."

CITES CASE

"In one upstate city, to which 120 engineers were transferred by their firm, all of the white engineers found suitable housing without any difficulty. But three of four Negro engineers requested and received transfers to other cities because they could not find homes for their families at any reasonable price. The fourth accepted the only dwelling offered him, even though it was unsatisfactory," the report stated.

"In a number of cities, Negro employees have voluntarily quit their jobs because of the housing situation. One employer, learning of these difficulties, said he would no longer recruit Negro engineers, while another stated he may adopt

Stayable Facts About Mixed Neighborhoods

NEW YORK CITY — A new study of interracial housing gives evidence that the percentage of white residents in integrated projects tends to remain stable.

The conclusion of the study, Privately Developed Interracial Housing, financed by a grant from the Fund for the Republic, is that the notion that interracial developments become predominantly colored over the years is contrary to fact.

The study written by George and Eunice Grier also describes a rental development which changed from predominately colored to a proportion of about two-thirds white and one-third colored.

"ALMOST TWO-THIRDS of the known communities built with a deliberate intent to attract an interracial market have a majority of whites," they state.

"In only a small number of these was the white majority obtained by quotas or other occupancy controls. In most it was the natural result of market forces."

The Griers live in one of the large successfully integrated projects described in their book.

Cost \$305,000

THE GRIERS' research was for the Commission on Race and Housing, an organization of distinguished private citizens whose three-year investigation was financed through a \$305,000 grant from the Fund for the Republic.

THE GRIERS' study was designed to study the successes and problems of housing designed for initial interracial occupancy.

They report, "Since the beginning of this study in 1955, there has been a mushrooming interest in open occupancy privately developed housing."

Although interracial projects are small in proportion to the total volume of building (8,000 out of some 10 million units built in the period studied), they are becoming steadily more common.

The Griers spent several years studying a variety of interracial projects in 21 cities and metropolitan areas.

They conclude:

"IF CONTINUING improvement of the economic status of colored people, plus continuing diffusion into formerly all white areas, create a changing climate of opinion in which residential proximity to colored people comes to be considered less and less 'abnormal', then more whites may be expected to become clients for new interracial housing."

The major problems encountered were selection and acquisition of land, financing, and recruiting of occupants.

Types of resistance

THE STUDY discovered many examples of community resistance to land purchase.

In many cases, the report says, government policy in the form of support or opposition from the FHA for mortgage insurance, was a crucial factor.

It documents two cases of obstruction by FHA officials because of interracial aspects, one in California and one in Michigan.

However, it is noted in 1945 FHA policy was reversed,

and it is now designed "to encourage the development of housing demonstration open-occupancy projects in suitably located key areas."

RACIAL DISCRIMINATION in private housing developments receiving government assistance including federal mortgage guarantees, is now unlawful in several states," the Griers report.

New York, Massachusetts, California, New Jersey, Washington and Oregon have such laws. (In New York City, in December, 1957, a law was passed prohibiting discrimination in all sales and rentals of housing of ten units or more. Such a law also exists in Pittsburgh.

In 1959 Colorado passed a comprehensive law covering all private housing. The Griers write that in New York the FHA has announced a policy of cooperation with the state law by expecting builder applicants for mortgage insurance to comply with the state law.

Myths exploded

THE GRIERS' research revealed that several common myths about colored preferences for housing are not supported by evidence from the interracial tracts.

Contrary to common belief, colored citizens are willing to commute longer distances than comparable whites in some cases.

They do not have a preference for more conservative house designs.

While it is true that New York colored citizens do not seem to like multi-story apartments — perhaps because of memories of the failure of a large-scale project of that type in Harlem in the 1930's — colored citizens in Chicago and other cities do not have signifi-

INTERRACIAL DEVELOPERS have usually been able to find interested and qualified colored buyers, the report states.

Unwritten Law In Housing Junked

Journal and Guide

No "White Only" Sign

Norfolk, Va.

On This Firm's Homes

Feb 2-20-60
BY JAMES L. KILGALLEN
United Press International

NEW YORK—A movement dedicated to racial integration in private housing is underway today in five states. Its purpose is to enable Negroes and members of other minority groups to buy new homes in American communities.

The movement, spark-plugged by a 43-year-old Philadelphia builder named Morris Milgram, is meeting with a degree of success that is encouraging to its supporters. But it has also run into some opposition.

As president of Modern Community Developers, Inc. (MCD), Milgram is a man with a mission. His organization with headquarters at Princeton, N. J., is the first national firm dedicated exclusively to open occupancy housing.

"I AM CONVINCED," Milgram says "that integrated housing for white and non-whites will succeed all over the country. By the end of the 1960's, this type of housing will be commonplace."

Milgram said MCD is now active with projects in the states of New York, Pennsylvania, Delaware, Connecticut and Illinois.

At Deerfield, Ill., a suburb of Chicago, the movement has encountered opposition—but is also getting substantial support. And in Downingtown, Pa., the company has run into some zoning difficulties. But elsewhere it has been smooth sailing.

INTERESTED IN THE MOVEMENT are many prominent persons. They include Mrs. Eleanor Roosevelt, Jackie Robinson, composer Oscar Hammerstein II, Sen. Jacob K. Javits of New York, Sen. Joseph S. Clark of Pennsylvania, author Pearl Buck, baseball's Ernie Banks, the Rev. Martin Luther King Jr., leader of the Montgomery, Ala., bus boycott, and A. Phillip Randolph, president of the Brotherhood of Sleeping Car Porters.

Milgram characterized MCD as "a business venture with a social goal." That goal is to make good housing available to all people on an equal basis regardless of color, creed or national origin.

"THERE IS VIRTUALLY NO new housing open to Negroes in communities throughout the country," Milgram said. "I hope to abolish the unwritten law that new housing is

for whites only. The trend toward segregation in housing must be ended."

A product of New York City's Lower East Side, Milgram became interested in integrated housing after he married the daughter of the late William M. Smelo, a Philadelphia builder.

"I told him I wouldn't build houses that all people couldn't live in," Milgram said.

SO MILGRAM, WHO HAD been doing labor relations work for 10 years after he was graduated from the University of Newark, became a builder.

In 1952, he and George E. Otto, a Quaker and a Bucks County, Pa., builder, started a project of 139 homes in the \$12,000 to \$16,000 bracket at Concord Park in Trevese, Pa., a mile north of Philadelphia. When finished, this project was 55 per cent white, 45 per cent colored.

Then Milgram and Otto built another small development called Greenbelt Knoll in Philadelphia, where Milgram himself lives. It was comprised of 19 contemporary-style houses ranging in price from \$20,000 to \$40,000 and was sold out by the summer of 1958.

IN THE MEANTIME, A GROUP of Princeton, N. J. citizens urged Milgram and Otto to build new integrated housing there. A subsidiary company—Princeton Housing Associates—was set up. Two model homes were opened to the public, a ranch model starting at \$17,450 and a split level starting at \$21,450.

This little integrated community is now sold out and has 40 homes which will be finished this spring. The occupancy pattern is 75 per cent white, 25 per cent colored.

CURRENTLY, MCD HAS VARIOUS projects on the fire. One of its subsidiary companies is building a project at Waterbury, Conn. MCD has invested in several cooperative apartment developments in New York City. It has invested in capital stock of an integrated housing group in Downingtown and is interested in a development in Wilmington, Del.

Resistance has developed to the project of an MCD subsidiary at Deerfield and the issue is now in the courts.

Milgram says, however, that he is greatly encouraged at the progress being made in his integrated housing experiment.

Rockefeller's Housing Bias Bill Offered

New York Times
Party Leadership Is

Expected to Bury It

Wed. 2-24-60
By Keith R. Johnson

ALBANY, Feb. 23.—Gov.

Rockefeller submitted to the

Legislature today his bill to

curb discrimination in private

housing. There are indications

however, that the measure may

not pass this year. It is under-

stood the Republican leadership

does not want to share credit

for it with the Democrats, who

would probably support it more

solidly than the Republicans.

Weaker Bill

The Rockefeller bill, which is

weaker than the bipartisan

Metcalf-Baker proposal already

introduced, would leave about

80 per cent of the housing mar-

ket uncovered, according to one

estimate. It would ban dis-

crimination in the sale of rental

of any housing accommodation

in multiple dwellings or where

the owner controls the sale or

lease of ten or more adjoining

accommodations. The Metcalf-

Baker law, by contrast, would

exclude from the law only one

and two-family dwellings occu-

pled by the owners of the prop-

erty.

Both proposals would forbid

any discriminatory practice by

real estate brokers or agents.

The Rockefeller measure would

open new territory by including

business accommodations, such

as stores and offices, with resi-

dential properties under the

ban.

Wider Jurisdiction

In his message to the Legis-

lature, Gov. Rockefeller also

asked expanded jurisdiction for

the State Commission Against

Discrimination to include banks

and other agencies which make

loans for the purchase or re-

pair of housing.

The basic coverage of the

Rockefeller bill — multiple

dwellings and developments of

ten or more units — is identical

with that in New York City's

Sharkey-Brown-Isaacs law

which has been in effect since

April 1, 1958.

The Metcalf-Baker bills have

died in committees in the past

several years, but the Gover-

nor's bill most likely could pass the Legislature this year if put to a vote on the floor.

Leadership's Motive

Indications are that the bill will not be allowed out of committee, however, because the Republican leadership will not want to risk what would probably happen—passage with solid Democratic support but with only spotty Republican backing. The Democrats, as is held, could then claim part of the credit for the law, and the Republican leadership will presumably avoid that if it can.

Bill Criticized

Algernon D. Black, chairman of the State Committee on Discrimination in Housing which is made up of private organizations like the State Council of Churches, issued a statement here today, saying in part:

"While we are gratified that Gov. Rockefeller has acted on this pledge to introduce a fair housing practices bill, we are disappointed in the limited coverage of his proposal.

"It appears that the Governor's recommendations still exclude 80 per cent of the state's private housing markets, even though his coverage of real estate brokers and financial institutions may open up some new areas of housing."



Mrs. Vallie Lee Gilliam points to the big brick that was thrown through the picture window in her new home by somebody "either jealous or prejudiced," she said. Postal authorities and Youngstown police are investigating the rock throwing and threatening letter. — Crayton Photo.

Rufus Gilliam, holding his shotgun, which he said he'll use if he catches anybody throwing things at his home, shows the spot in the picture window where bigots threw a rock and a "KKK" note in Youngstown, Ohio. Gilliam brought the shotgun down with him when he heard the crash, but saw nobody. — Crayton Photo.

I Intend to Protect My Home

YOUNGSTOWN, Ohio — "I just don't understand it. We have had good relations with our neighbors. I just can't see any of them would throw a brick through our window, send us a note or send us a bullet. We have nothing to do with it. Just tried to build a home. I am serving notice on one and he, however, I intend to protect my home and my family." These were the words of Rufus Gilliam, 42, a trustee of his church, whose new \$25,000 rambler type home which he built in a previously all-white neighborhood was stoned and he and his family have been subject to threatening telephone calls and letters.

While the Gilliams' home was being subjected to brick-bat bombardment by bigots, the elder Gilliam son, Artis, 17, was in Cleveland representing his city in the Golden Gloves and brought honor upon Youngstown by winning the semi-final match in the

112-pound class by knocking out his opponent in the second round.

"While we can fight for the honor and prestige of our city we likewise can and will fight for the honor and dignity of our home and our constitutional right to build it where we choose," said the Gilliams, who consist of the father Rufus, the wife and mother, Vallie Lee, and the two sons, Artis and Douglas, 14.

HALF OF A BRICK was hurled into the front picture window of

the Gilliam home about midnight last Monday. Attached to the brick was a note, typewritten on school-type notebook paper, which read:

"N—r beware. Next time it will be worse. (signed) KKK."

On Thursday a letter was received through the mail. Upon request of the postman who delivered it and who said he was under orders from his superiors to make the request so that he could be a witness, Mrs. Gilliam opened the letter and out dropped a 30-30 Winchester bullet. Accompanying it was a note, which was termed by Mr. Gilliam as an illegible scribble in pencil writing "KKK."

The carrier waited patiently until Mrs. Gilliam opened the letter and left. He subsequently reported his observances to his superiors. Postal authorities turned the matter over to the local police.

Youngstown police are holding the exhibits and are trying to find the culprit, who if convicted, faces up to 10 years in prison.

Meanwhile the Negro population, the NAACP, a large segment of the white people and the authorities are rallying around the Gilliams.

MAYOR FRANK B. Frankle and Chief of Police Vinosky were to hold a conference Friday morning following a request for police protection for the Gilliams made by Nathaniel Lee, president of the Youngstown branch NAACP.

Lee told the Courier Monday night that he had organized a "vigilante" group, the members of which will take turns and go to the Gilliam home in pairs and maintain watch until the next morning.

The Gilliams related to the Courier what took place on the eventful night.

Said Mrs. Gilliam:

"My husband went upstairs about seven minutes to 12. I was straightening up a few things downstairs and went up about five minutes later. The two boys were asleep in a bedroom on the first floor off the dining room.

"Suddenly we heard a crash. We couldn't imagine what it was. My husband came down first, clad in his pajamas, carrying his trousers over his left arm and his shotgun in his right hand.

"At first I thought it was something that fell outside. We

out the door and saw nothing. I looked around in the living room and at first I saw nothing. Then I noticed my drapes on the picture window flutter. I pulled it back and saw a big hole in the pane. I looked around for an object and found half of a brick with this note attached to it."

Commenting further, ?

Gilliam said:

"I want all to know that I ever see anybody throwing, shooting or doing anything to my home or my family everybody will know who they are. I am going to stay here and I intend to protect my home anyway I can."

Ohio State U Bans Jim Crow

COLUMBUS, Ohio — Ohio State university will no longer list on its preferred off-campus roster any landlords operating student rooming houses unless they accept the university's non-discrimination housing policy. 8-4-7-30-60

Announcement of the new policy was made here on July 12 by Dr. Novice G. Fawcett, president of the university, on behalf of the trustees.

The move represented a long awaited victory of the Ohio NAACP which has fought vigorously against the university practice of allowing off-campus landlords to discriminate by race and religion in selection of student lodgers.

Charge Negro Couple with Conspiracy in Buying \$45,000 Home; Seek \$200,000 Plus Ouster

The Evening Star
Cleveland, Ohio—When Dr. James E. Robinson and his wife moved into their fashionable \$45,000 home in a neighborhood called Shaker Heights which has homes up to \$60,000, it caused no end of consternation. Now the building firm, which had originally denied the Robinsons a home is suing for \$200,000 and charging that a fraud and conspiracy through a white middleman has been perpetrated and that the sale should be rescinded. The additional money is being sought for damages.
Red Brick

The fashionable red brick home was originally purchased Sept. 6 by Atty. and Mrs. Walter S. Haffner. The deed was recorded on Sept. 26th. But, according to the building company, the Haffners sold the building to Dr. Robinson and his wife—Dr. Lelabelle Freeman Robinson, who is a pediatrician.

Thus the company calls this a "scheme and conspiracy" which had been concocted for the purpose of "defrauding and deceiving the plaintiffs and by subterfuge causing a transfer."

Builder Fights Sale to Negro

The Evening Star
CLEVELAND, Oct. 20 (AP).—A suit to oust a Negro dentist and his wife from a \$45,500 home they bought in an exclusive section of suburban Shaker Heights has been filed in Common Pleas Court. The plaintiffs—the Helper Bros. Building Co.—alleges fraud and conspiracy through a white middleman and seeks to rescind the sale. The company also seeks \$200,000 for alleged damage to reputation.

Involved in the legal fight is a red brick, two-story home in the Shaker Lakes area. Nearby homes are valued at \$60,000 and more.

The home was purchased September 6 by an attorney and his wife, Mr. and Mrs. Walter S. Haffner. The deed was recorded September 26.

According to the petition, filed Wednesday, Mr. Haffner sold the house three days later

to Dr. James E. Robinson and purchase of the home. his wife, Dr. Lelabelle Freeman Robinson. She is a pediatrician. The Robinsons previously had negotiated for the house, and the building company refused to deal with them. The petition added that the building company claimed the Haffners were really acting for the Robinsons in a "scheme and conspiracy" which had been concocted for "the purpose of defrauding and deceiving the plaintiffs and by subterfuge causing a transfer."

Dr. Robinson commented: "I bought the house. I am trying to be a good American citizen, and I intend to remain here. My immediate neighbors have been very warm and friendly."

The Robinsons, with a three-year-old girl and one-year-old boy, are the first colored family to move into the "heart" of Shaker Heights, where a restrictive covenant is traditionally operated to keep colored persons out.

Seller says sale hurt business
The Cleveland Press
Baltimore, Md.
Oct. 18-22-68

CLEVELAND, Ohio—Dr. Robinson bought the home and I intend to remain here."

This is the statement of Dr. James E. Robinson who is being sued for \$200,000 after paying \$45,000 cash for a home in exclusive Shaker Heights.

At the same time, hearings are being held in New Haven, Conn. to determine if a colored family which paid \$12,000 down on a \$26,800 home is being discriminated against by the company's refusal to go through with the sale.

IN THE SHAKER Heights case, Dr. Robinson and his wife, Dr. Lelabelle Freeman Robinson, are being sued by the Helper Brothers Building Company for "damage to our business."

Norman Helper, one of the three owners, said he had "no personal feelings in this matter. Robinson is just as good as anyone else."

Despite this, he charges "fraud and deceit" in the

The Robinsons moved into their home on Oct. 10. According to Dr. Robinson: "None of the neighbors have objected to our moving in here. In fact, seven of them at different times came in, brought pies, cakes, flowers and welcomed us to our home."

The Robinsons, with a three-year-old girl and one-year-old boy, are the first colored family to move into the "heart" of Shaker Heights, where a restrictive covenant is traditionally operated to keep colored persons out.

There are 19 colored families living on the "fringes" of the wealthy community which is incorporated separately from Cleveland proper.

JOHN PEGG, an attorney, was first to move in over three years ago, after the Supreme Court struck down the validity of restrictive covenants. Mr. Pegg's home was bombed by unknown persons but he still remains.

Although illegal, the restrictive covenant barring colored home-owners has still been an "unwritten law" and has limited the number of colored purchasers in the area.

There has been no violence or threat of violence, however, against Dr. Robinson, a dentist, and his wife, a pediatrician.

Shaker Heights Mayor Wilson G. Stapleton has pledged to uphold law and order. The suit was filed in Cuyahoga County Court of Common Pleas. No hearing date has been set.

IN THE CONNECTICUT case, the year-old state anti-discrimination commission is hearing a complaint brought by the state branch of the federal Civil Rights Commission. Hearings are held at the state capitol.

The CRC brought an admission from a Swanson

company representative that the company "preferred not to sell to Mr. (DeWitt) Jones" because he is colored.

Defendants in the case are the builder, Albert Swanson, Inc., and the seller, E. F. S., Inc., of which Albert Swanson's wife, Edith, is president.

The CRC is asking the state commission to issue a "cease and desist" order against the refusal of the companies involved to sell in the Jones family the home in the Benham Lane Heights development in Hamden, Conn.

State Assistant Attorney General Louis Weinstein represents the CRC in its case against the Swansons.

Questioning George R. Curran, a real estate salesman, he asked:

"Do you know why Swanson refused to sign the sales contract with Jones?"

To the reply, "Yes," Mr. Weinstein asked: "Was it because of Mr. Jones is colored?"

"Yes," was Ms. Curran's reply.

MR. CURAN testified that the Joneses attempted in June and October of last year to buy the house and that the \$12,000 down payment on the \$26,800 home was not unusual.

In the hearings, to continue on Oct. 31, the five defense attorneys are expected to try to establish that Mr. Jones is not financially able to carry the expenses of the home.

Ready for this attack, however, Mr. Jones has records of his gross 1959 income, his stock holdings and present property holding.

The three-man panel hearing the case is headed by Joseph B. Burns, West Hartford attorney, who over-ruled the many objections of the defense to the questions by the prosecution.

He said he felt both sides should have an opportunity to present their cases fully.

Negroes Gain Rights Win In Oregon

PORTLAND, Ore., (AP) — A federal district judge Tuesday ordered a water district not to condemn the property of a Negro couple who had bought into an all-white neighborhood.

The Richland Water District east of Portland had started condemnation proceedings on the ground it was necessary to protect a well near the property. Judge William G. East said he found no evidence the water district even tried to find out how sewage was to be handled at the house to be built on the property. He issued an injunction against the water district.

SECOND VICTORY — It was the second civil rights victory for the Negro couple, Mr. and Mrs. Rowen M. Wiley, who went to federal court saying the condemnation was based on racial discrimination.

Testimony included that of a white resident, Raymond W. Hewitt, who admitted he circulated a petition against the Wiley's plan to move there.

"We don't like to have colored people in the neighborhood," Hewitt said.

Earlier the Wileys were the first victors under a new state anti-discrimination law. They said housing property handlers were blocking them from buying property solely because they were Negro. The property handlers denied that but only last Saturday they were ordered to make certain property available for sale to the Wileys.

Fire Ruin of Negro Home Probed

PORTLAND, Ore., July 4 (UPI) — The State Arson Squad was called in today to investigate a fire which heavily damaged a Negro couple's partly finished \$7,000 home.

Sgt. W. H. McCullum of the Arson Squad said the blaze at the home of Mr. and Mrs. Rowan M. Wiley, who recently won a racial discrimination case in Federal Court, may have been fed by a flammable liquid.

Firemen said the building was "a blazing inferno" when they arrived shortly after 11 p. m. Sunday.

Wiley said, "We'll start building again Tuesday. We are not giving up." The couple was living in another home.

Last month Federal Judge William East ruled a water district had violated the couple's civil rights in attempting to condemn property on which the couple was building the new home.

Wiley said he had invested about \$9000 in the split level home so far. He said much of it will have to be rebuilt. The blaze destroyed three bedrooms and a bath on the highest of the home's three levels. Wiley said the loss was covered by insurance.

First firemen on the scene picked up debris of a broken glass gallon jug, some straw and some burlap.

Sgt. McCullum said the way in which the surface of the floors and walls was badly burned, and the sub-surface hardly burned, indicated something flammable had been poured over them. "An ordinary fire would never burn with such speed," he said.

Home Fired, Negro Vows To Stay On

PORTLAND, Ore., July 4 (AP) — A Negro today vowed he never will be driven from the all-white neighborhood where his partially completed house was doused with gasoline and set afire last night.

"We're going to tear down the burned part tomorrow and start rebuilding," said Rowan M. Wiley, a 41-year-old sheet metal worker. "If they keep burning the house down, I'll pitch a tent. But I'm definitely going to live out there."

Wiley estimated the damage to his uncompleted, split-level home at between \$7,000 and \$9,000. He said it was covered by insurance. When completed, the house will be worth about \$20,000.

Fire inspectors said today it appeared that gasoline had been sprayed on the walls of the house and throughout the interior. Then, they said, the arsonists apparently pitched a flaming bottle of gasoline through a window.

The upper level of the house—containing three bedrooms and a bath—was destroyed and there was other widespread damage. Wiley, his wife and their four children had not yet moved into the new home in the suburban neighborhood.

"They want to keep Negroes out of the community," said Wiley, who only last month won his fight to build in the area.

Wiley brought suit against the Richland Water District, and U.S. District Judge William G. East ruled the district violated Wiley's rights in attempting to condemn property on which he was building. East held that the district had sought the property merely to prevent Wiley from using it.

When Wiley went to look at his charred house today, he found a large crowd. "Several of the people in the neighborhood told me they were ashamed of what had happened. But most of them didn't say anything."

'We Won't Quit'

Negro Home Burns, Arson Suspected

PORTLAND, Ore. (UPI) — The state arson squad was called in Monday to investigate a fire which heavily damaged a Negro couple's partially finished \$17,000 home early Sunday.

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thing flammable had been poured over them. "An ordinary fire would never burn with such speed," he said.

Negro vows he'll rebuild in white area

PORTLAND, Ore., July 5 (AP) — A Negro today vowed he will never be driven from the all-white neighborhood where his partially-completed house was doused with gasoline and set afire last night.

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Wiley, his wife and their four children had not yet moved into the new home in the suburban neighborhood.

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When Wiley went to look at his charred house today, he found a large crowd. "Several of the people in the neighborhood told me they were ashamed of what had happened. But most of them didn't say anything."

Wiley added: "The person who did it isn't very intelligent. They can't stop me by burning the house."

Aside from fragments of a gallon jug, used as the bomb, and charred burlap sacking, clues were scant.

Sheriff's Deputy Fred Kluth said neighbors were "most uncooperative. Nobody saw anything or knew anything."

Negro Defies Arsonists, Vows He'll Live In All-White Area

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"They want to keep Negroes out of the community," said Wiley who only last month won his fight to build in the area.

Negro Vows To Remain Despite Fire

House In White Area
Burned By Arsonists

Portland, Ore., July 4 (AP)—A

Negro vowed Monday that he will never be driven from the all-white suburban neighborhood where his partially completed house was doused with gasoline and set afire Sunday night.

"We're going to tear down the burned part tomorrow and

start rebuilding," said Rowan M. Wiley, a 41-year-old sheet metal worker.

"If they keep burning the house down, I'll pitch a tent. But I'm definitely going to live out there," he said.

Wiley estimated the damaged to his uncompleted, split-level home at between \$7,000 and \$9,000. He said it was covered by insurance. When completed, the house will be worth about \$20,000.

Sprayed With Gasoline

Fire inspectors said Monday it appeared that gasoline had been sprayed on the walls of the house, and throughout the interior. Then, they said, the arsonists apparently pitched a flaming bottle of gasoline through a window.

The upper level of the house—containing three bedrooms and a bath—was destroyed and there was other widespread damage.

Wiley, his wife, and their four children had not yet moved into the home.

U. S. Judge Upheld Wiley

"They want to keep Negroes out of the community," said Wiley, who only last month won his fight to build in the area.

Wiley brought suit against the Richland Water District, and United States District Judge William G. East ruled that the district violated Wiley's rights in attempting to condemn property on which he was building. East held that the district had sought the property merely to prevent Wiley from using it.

Jug Fragments Found

When Wiley went to look at his charred house Monday, he found a large crowd. "Several of the people in the neighborhood told me they were ashamed of what had happened. But most of them didn't say anything."

Wiley added: "The person who did it isn't very intelligent. They can't stop me by burning the house."

Aside from fragments of a gallon jug, used as the bomb, and charred burlap sacking, clues were scant.

Deputy Sheriff Fred Kluth said neighbors were "most unco-operative. Nobody saw anything, heard anything, or knew anything."

END HOUSING BAR, NEGROES ADVISED

Times
Philadelphia Agency Urges
Them to Seek Homes in
All-White Sections

New York
By WILLIAM G. WEART
Special to The New York Times.
PHILADELPHIA, March 5—

is no a large Negro demand for new housing. Don't let them have this argument to use against you."

George Schermer is executive director of the commission and Nathan L. Edelstein is its chairman. Since 1954 it has been on record in favor of legislation barring discrimination in housing. In the absence of such legislation, the commission is holding hearings to document the nature and extent of housing discrimination and the methods by which families in minority ment.

The Commission on Human Relations, an agency created by Philadelphia's Home Rule Charter of 1952, has opened a new program designed to encourage Negroes to seek homes in all-white neighborhoods.

A "do-it-yourself" educational kit prepared by the nine-member commission urges Negro families to refuse to be steered into "ghetto" areas. The kit contains a number of pamphlets and reports, most of which describe procedures to be followed in buying a new home.

The commission's own pamphlet, entitled "Your Next Move," advises Negroes to "be willing to buy a home where other Negroes have not lived." It continues:

"To break the stubborn pattern of segregated housing many Negro citizens must have the courage to live in 'new' neighborhoods."

Philadelphia's non-white population has increased about 59 per cent since 1940, rising to 480,000, or 23.4 per cent of the total of some 2,050,000, according to the commission.

44% Are Home Owners

In the same twenty-year period, the agency reported, the ownership of home by Negro families increased from 10 per cent to more than 44 per cent. This, the commission said, is the "highest rate of homeownership among Negroes in the nation."

The pamphlet encourages Negroes to explore all neighborhoods and to "Look! Look!" because a segregated section "may possibly have the house you want."

"Visit new developments and inquire about available houses," the pamphlet continues. "Builders say that Negroes do not inspect sample homes. This may be only an alibi for discriminating against you. It supports their contention that here

New York World
**Realty Agent's Home
Bombed in Tennessee**

United Producers International
Chattanooga + Sun
CHATTANOOGA, Tenn.,
Aug. 18.—The fourth house
bombing in a month here rock-
ed the brick home last night
of a white real estate agent
whose company handles sales
of homes to Negroes. 18-60

N. Ross Walker, 31 his wife,
Joan, 19, and their 11-month-
old adopted daughter escaped
injury. But their two cars
were wrecked, their home air
conditioner shredded into
small fragments, windows
shattered and part of the roof
was torn away. 13

An ad by the Walker's Acme
Realty Co., bearing his name,
had appeared in the morning
paper. It advertised two homes
available for Negroes in an
East Chattanooga area which
is changing from a predomi-
nantly white residential area
to a predominantly Negro area.

Oak Ridge Negro Scientists Face Home Evictions

BALTIMORE, — Negro scientists and technicians working on high priority defense projects, face ouster from their Oak Ridge, Tenn., homes, an NAACP official charged in a speech prepared for delivery here Saturday.

Jack E. Wood, the Association's special assistant for housing, said "federal government failure to insert a non-discrimination clause in purchase agreements of government owned properties" accounted for the threat.

"The Oak Ridge housing facilities are about to be sold to a private corporation intending to exclude Negroes from occupancy," Mr. Wood asserted.

"Among affected residents are several Negro college professors and fellowship students engaged in government sponsored study and research programs.

"It is now suspected that government officials have reached a 'gentleman's agreement' with prospective purchasers allowing current Negro residents to remain. However, future Negro residents will be hindered," Mr. Wood said.

CHATTANOOGA HOME OF NEGRO IS BURNED

CHATTANOOGA, Tenn. (UPI) — A new house owned by a Negro school teacher, in a Negro section surrounded by burgeoning housing developments for whites, was doused with gasoline or kerosene early Friday and destroyed by fire.

The Negro section, called Jersey Community, has been the scene of unsolved cases of arson and dynamiting during the last several years. Two crosses were burned on property belonging to Mr. Espey, a teacher at Booker T. Washington High School.

About two years ago, dynamite was thrown into a restaurant operated by Mr. Espey's sister and brother-in-law. A vacant house owned by Mr. Espey was burned mysteriously four

Blast Destroys Home Built For Negro Soldier In Chattanooga

CHATTANOOGA, Tenn. — (UPI) — The house a Negro school teacher was building for his soldier son in a racially mixed area was destroyed by an explosion and fire Friday. *Sat. 7-23-60*

"We're not sure of the motive," said Investigat-

ing Officer Carl Mize, a Hamilton county patrolman. "It might have been because the fellow was using non-union labor to build the house or because he was building in a location where white people didn't want him."

Although the section is racially mixed, officers said the house was located near a predominantly Negro area.

The house, located in the Jersey community of Hamilton county, was about three-quarters completed. Damage was estimated at about \$8,000. The blast blew a big hole in the roof.

The teacher, J. L. Espey who has taught for 29 years in the community, said he had no idea why anyone would damage his property. Mize said Espey is liked and respected in the community.

Espey's son, Army Specialist Fourth Class Arthur J. Espey, was to have occupied the house. The house was apart from the other homes in the Negro neighborhood.

"Some white people might have thought Espey was trying to move out of the Negro section," said Mize.

Across town, another explosion knocked out plate glass windows in a home store in the Red Bank community. Police said the two blasts were unrelated and the burglars apparently had tried to blow the safe in the store.

The Jersey community was hit by a series of unexplained fires and dynamitings about two years ago, police said.

Bomb Rocks Two Homes

CHATTANOOGA, Tenn. (AP) — The latest in a series of bombings in Chattanooga Negro neighborhoods shattered two homes early Thursday.

One of the damaged homes was hit three years ago by a similar blast.

A home-made bomb or stick of dynamite was hurled between the homes of Robert Lee Woods and Mary Jolly, 43, in suburban East Lake. Windows were shattered and plaster knocked from interior walls of both houses, but none of the nine Negroes living there was injured.

Woods' home was the site of a similar mystery bombing on Oct. 28, 1957. That blast, like Thursday's and several other dynamiting in Negro and racially mixed neighborhoods here, remains unsolved.

Police decline to assign a specific motive to any of them.

Since February, when another Negro home was blasted, at least two similar incidents have been reported to police—none with any injuries.

House blasted in mixed area in Chattanooga

CHATTANOOGA, Tenn. (AP) — A third blast in racially mixed neighborhoods occurred here late Friday night when an

explosion ripped through a vacant two-story dwelling, offered Thursday for rental to Negroes.

No injuries were reported in any of the blasts. Police said dynamite was apparently used in all cases.

In addition to the blasted houses, a dwelling being built by a Negro school teacher in a racially mixed area burned recently. Fire investigators charged arson.

So far no arrests have been made in any of the incidents.

POLICE SAID the blast Friday night, set off at the rear of the house, ripped up flooring and blew out window and door panes. Houses in the area were shaken and a shower of glass rained in the street.

An advertisement offering the house for rent to Negroes carried the office and residence telephone numbers of Attorney Ben Z. Tabb. He said the owners, after unsuccessfully offering rental to whites until earlier this week, turned to Negroes.

No Negroes live on the street where the blast occurred, but Negroes are sparsely settled a few blocks away and have been moving into the area for the past 18 months.

3rd Chattanooga Home Bombed

CHATTANOOGA, Tenn. (SNS) — The third incident of violence in a month was reported Friday night with the bombing destruction of another home in a racially mixed Chattanooga neighborhood. An unidentified fireman said it was a "professional job."

No one was injured in the latest blast, though windows were shattered in nearby homes from the concussion. Police detective John Carson said no Negro families lived on the street, but that several lived nearby. He said the bombed house was probably a total loss.

Early last Thursday, an explosion ripped two Negro homes. Nine Negroes escaped uninjured. On July 16, an explosion damaged three homes in a semi-integrated neighborhood.

"If the other bombings in Chattanooga have been a rehearsal," an unidentified fireman said, "this one tonight was the graduation exercise. Whoever did this knew dynamite."

No arrests have been made in any of the bombings, police reported.

Bombers Hit Chattanooga Negro Home

CHATTANOOGA, Tenn. (AP) — Stealthy bombers struck a Negro neighborhood at the very foot of famed Lookout Mountain early Sunday, sending two youngsters who were cut by flying glass to a hospital.

The blast, shattering the pre-dawn quiet of a Sunday morning, was the fifth explosion with racial overtones here this month and the fourth in 10 days. It caused by far the worst damage.

The explosion, probably dynamite, was set off beneath the porch of a five-room frame duplex apartment, occupied by Mr. and Mrs. Thomas Reid and their four young children. It was just outside a bedroom where the parents and David, 7 months old, were asleep.

MASS OF SPLINTERS

The Reid apartment was turned into a mass of wood splinters and broken glass, and the porch was disintegrated.

David, sleeping near the window, was showered by splintered glass and Sandra Lennise, 3, sleeping with her brother and sister in a rear bedroom, was cut by flying glass. The other two youngsters, Thomas Jr., 4, and Sharon Lynn, 2, escaped injury along with the parents. All the children, after a trip to Children's Hospital, were taken across town to stay with relatives.

The neighborhood has been all Negro for years, but white residents live three blocks away.

"We both woke up and started feeling for the children," Mrs.

Reid said. "There was smoke and fumes everywhere and the children were all crying and hollering. We didn't run outside or anything; we just grabbed the children." Asked if he knew of a possible motive, Reid said, "All I know is whoever did this is lowlife trash."

Threats Deter Home Buyer

Dallas Minister Runs Into Bias Over New House

DALLAS Tex. — (UPI) — Rev.

P. L. Young, a Negro minister, said Saturday he will ask federal authorities to help him decide what to do with his new house in an all-white block. He was persuaded to move back to his old home Friday by a group of whites.

Young also charged that a real estate agent sold him the new house by telling him it was in an integrated neighborhood. But the minister found out that the block in which it is located is all white.

Young indicated he will talk to the U. S. Attorney about what course of action he has. But he said he will give up the house if the whites who forced him out will pay him the money he has spent.

"I've got too much pride to force myself where I'm not wanted," Young said.

"I didn't know there was any resentment or I wouldn't have tried to move," Young said.

DALLAS, Tex. (ANP) — I believe in exercising my rights as an American citizen, but I value freedom from fear when I go to bed at night more important. So saying, a Negro minister here has abandoned plans to move into a home he had purchased in an all-white area because of threats from whites.

The Rev. P. L. Young, pastor of Emmanuel Church of God in Christ was supervising the moving of furniture in his new home Friday when he got the first threat.

"A white man," he said, "confronted me and told me there would be trouble in the neighborhood if I moved in. Then the phone started ringing and each time it was a white person advising me not to move into the house. Some were very vulgar."

"Then," he continued, "about 15 or 20 people arrived in cars. I didn't wait to see what they had to say. I just called the police."

Police arrived and broke up the demonstration which they described as "orderly." However, police did permit a spokesman for the group to talk with Rev. Mr. Young.

The minister said the spokesman for the group was "a nice man."

NEGRO'S HOME SHOTGUNNED IN WHITE AREA

HOUSTON, Tex. — A Negro man moving into an all-white neighborhood told police he fired a shotgun into the front door of the house and watched a window Sunday. James Anderson said the shot hit his house while his 17-year-old son, James, 17, was in the rear of the small frame building. Neighbor Simon Sosa, 37, said he saw one of the white men in a car fire the house and drive off.

VA Orders 46,500 Homes

Atlanta Daily World

Sold Without Restrictions

WASHINGTON — (ANP) — A major step in establishing a racial policy in private housing in which the federal government is involved was taken here this week by the Veterans Administration.

The VA has issued orders to its district offices throughout the country, disposal of 46,500 homes taken over by the VA because of default must be carried out without respect to race, creed or color.

Henceforth, sale or rental of property repossessed by VA has followed local custom with respect to race. Negroes often being barred from occupying homes in white neighborhoods.

LONG FOUGHT FOR "OPEN POLICY"

The NAACP and other agencies have been trying for years to get federal agencies to establish an open policy regarding the disposition of housing where the government is involved.

Chief target has been federally insured mortgages which are often granted on property restricted to whites only. A number of federally financed public housing projects likewise are jam crowded.

The new policy was announced after a series of conferences between VA officials and representatives of New York's State Commission against Discrimination.

ELMER CARTER TAKES ACTION

Elmer A. Carter, Negro chairman of the New York agency, called the action "a major break through in the private housing market."

In the years since 1944, according to William R. Valentine, assistant commission housing director, the Veterans Administration has acquired 46,500 dwelling units. Of these 2,033 were in New York State. Lists of the properties available for sale or rental are sent to private real estate brokers, or other agents, accredited by VA, who handle the actual sales or rentals.

Blasts Set Off At Negro Homes

PETERSBURG, Va. (AP)—Explosions—probably of fireworks—have been set off on the front porches of two Negro homes in Southern Chesterfield County near here, County Police Chief C. W. Smith reported Friday. Negroes in Petersburg have been pushing for desegregation of lunch counters and restrooms in variety stores, and for desegregated use of the city library.

Smith said he believed the explosions were caused by cherry bombs, a type of fireworks.

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38c 1960

WISCONSIN

**Condemn Land
Of Lone Negro
Property Owner**

3-18-60
RACINE, Wis. — (ANP) — The North Cape school district electors voted Monday night to condemn a four acre piece of land owned by a Negro so that it can be used for school purposes. Counsel for Ross Allen of Milwaukee, owner of the land, charged the action was based on "discrimination rather than need."

Allen is the only Negro property owner in the area.

The electors of the rural Racine county area decided on condemnation proceedings by a vote of 47 to 26 after a short discussion in which several speakers denied there was any element of race prejudice in their action.